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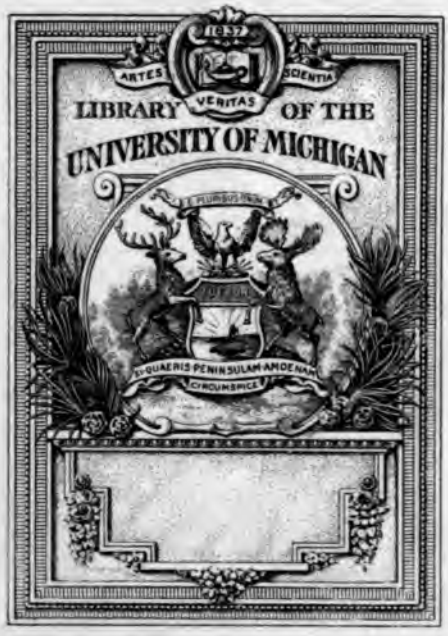
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PUBLICATIONS

—OF—

THE MISSISSIPPI HISTORICAL SOCIETY

116961

EDITED BY
FRANKLIN L. RILEY
Secretary

VOL. VI.

OXFORD, MISSISSIPPI
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PREFACE.

The close of the first lustrum of publishing activity in the history of the Mississippi Historical Society affords an occasion for a brief retrospect. The beginning of this phase of work was marked by the appearance in 1898 of a modest little pamphlet of 110 pages, containing 11 contributions. A year later, this was followed by a second pamphlet of 250 pages, which contained 18 contributions. The *Publications* for 1900 contained 23 contributions, which appeared in a volume of 380 pages, bound in cloth. The *Publications* for 1901 contained 48 contributions, and were printed in two volumes, one of which was devoted to the "Report of the Mississippi Historical Commission." These volumes were also bound in cloth and aggregated 900 pages. By reducing the number of contributions for the current year to 27, the Society has been enabled to publish them in a more substantial and better illustrated volume than have been those of former years. The results which have been accomplished during this period of five years are believed to be only the first fruits of a great historical renaissance in the State.

It is especially gratifying to note the fact that this volume fulfils the hope, expressed in the *Publications* of last year, that the field of Mississippi archaeology would attract the attention of a greater number of investigators in the near future. The success achieved during the current year in this long neglected field is laregly due to the industry and enthusiasm of Mr. H. S. Halbert, of Meridian, Miss., who undertook the direction of this work, at the request of the editor, in the spring of 1900. The reader will doubtless note with pleasure the fact that this volume contains several valuable articles on the political and constitutional history of the State, particularly on the period of Reconstruction and on the Constitutional Convention of 1890. The contributions to the economic and industrial history of the State and of the South will be deemed timely and important, since they relate to subjects of general interest. The reports of the Secretary and Treasurer of

the Historical Society and of the Director of the Department of Archives and History will doubtless give acceptable information with reference to the workings of these two historical agencies. Other lines of historical investigation,—military, religious, social, and biographical—have also received much attention during the current year, as will be seen by an examination of the contents of this volume.

F. L. R.

UNIVERSITY, MISS., *Nov. 1, 1902.*

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OFFICERS FOR 1902.

PRESIDENT:

GENERAL STEPHEN D. LEE, Columbus, Mississippi.

VICE-PRESIDENTS:

PROFESSOR R. W. JONES, University of Mississippi.
JUDGE B. T. KIMBROUGH, Oxford, Mississippi.

ARCHIVIST:

CHANCELLOR R. B. FULTON, University of Mississippi.

SECRETARY AND TREASURER:

PROFESSOR FRANKLIN L. RILEY, University of Mississippi.

EXECUTIVE COMMITTEE:

(In addition to the officers.)

PROFESSOR JAMES M. WHITE, Agricultural and Mechanical College of Mississippi.

BISHOP CHAS. B. GALLOWAY, Jackson, Mississippi.

PRESIDENT J. R. PRESTON, of Stanton College, Natchez, Mississippi.

PROFESSOR GEORGE H. BRUNSON, of Mississippi College, Clinton, Mississippi.

All persons who are interested in the work of the Society and desire to promote its objects are invited to become members.

There is no initiation fee. The only cost to members is, annual dues, $2.00, or life dues, $30.00. Members receive Publications of the Society free of charge.

Donations of relics, manuscripts, books, and papers are solicited for the Museum and Archives of the Society.

Address all communications to the Secretary of the Mississippi Historical Society, University P. O., Mississippi.

PROCEEDINGS OF THE FIFTH ANNUAL MEETING OF THE MISSISSIPPI HISTORICAL SOCIETY.

By Franklin L. Riley, Secretary.

The fifth annual meeting of the Mississippi Historical Society was held at Jackson, Miss., on the 9th and 10th of January, 1902. The first session of the meeting was held in the Hall of Representatives, beginning at eight o'clock p. m., January 9th. It was presided over by Gen. Stephen D. Lee, President of the Society. The exercises of the evening were opened with prayer by Dr. W. F. Yarborough, of Jackson, Miss. An eloquent address of welcome was then delivered by the Hon. H. L. Whitfield, State Superintendent of Education. This was followed by a fitting response, made in behalf of the Society, by Dr. Charles Hillman Brough, of Clinton, Miss. Gen. Stephen D. Lee entertained the Society with an account of the "Battle of Harrisburg, or Tupelo" (see p. 39), answering incidentally many of the criticisms that have been passed upon him as the commanding officer in that engagement. Judge Robert Bowman, of Yazoo City, Miss., directed the attention of the Society to the important services rendered by Yazoo county in the War between the States. This was followed by an interesting paper in which Dr. C. H. Brough presented an account of the "Clinton Riot" (see p. 53), based largely upon interviews with reliable participants in that unfortunate event. The Hon. Edward Mayes, of Jackson, Miss., gave an able discussion of "The Origin of the Pacific Railroads, and especially the Southern Pacific" (see p. 307). A contribution entitled "Confederate Cemeteries in Mississippi," by Dr. R. W. Jones, of the University of Mississippi, was presented by title. Upon the conclusion of these exercises the Society adjourned to meet in the Sunday School rooms of the First Baptist, at 10.30 o'clock, a. m., January 10th.

The second session of the meeting was held at the time and place appointed. In the absence of the President, the Hon. J. R. Preston, of Natchez, Miss., was called to the chair. Dr. A. M.

Muckenfuss, of Millsaps College, Jackson, Miss., read a valuable contribution to State history, entitled "Industrial Mississippi in the Light of the Twelfth Census" (see p. 273).

This paper evoked many interesting comments on the rapid industrial progress of the State during the last decade. Mr. Dunbar Rowland, of Coffeeville, Miss., then read a paper, entitled "Mississippi's First Constitution and Its Makers" (see p. 79). The presentation of this paper was followed by a general discussion of the personnel of the Convention of 1817. In the absence of Mr. Geo. J. Leftwich, of Aberdeen, Miss., the Secretary of the Society read his paper, entitled "Robert J. Walker" (see p. 359). A paper entitled "Life and Writings of Dr. James W. Monette" was also read by Dr. Franklin L. Riley, of the University of Mississippi.[1] At this session the following papers were presented by title: "Life of Gov. Joseph W. Matthews,"[2] by Mrs. B. M. Hamer, of Memphis, Tenn.; "Life of Col. Felix Labauve,"[2] by Dr. P. H. Saunders, of the University of Mississippi; "Legislation with Reference to Public Highways in Mississippi,"[2] by R. E. Wilbourne, Esq., of Meridian, Miss.; "The Mississippi River and the Efforts to Confine It in Its Channel" (see p. 283), by Maj. Wm. Dunbar Jenkins, of Natchez, Miss.; "Value of the Records in the U. S. Land Office, Jackson, Mississippi,"[2] by Mr. Edgar Spinks, Clerk in the U. S. Land Office, Jackson, Miss.; "Origin of the Names of Towns and Villages in Mississippi" (see p. 339), by Mr. Henry Gannett, Geographer, United States Geological Survey, Washington, D. C.; "The Indian in Mississippi Literature,"[2] by Prof. Dabney Lipscomb, of the University of Mississippi.

The third session of the meeting was held in the Sunday School rooms of the First Baptist Church, January 10th, at 4.30 p. m. The Society was called to order by Gen. Stephen D. Lee. The Committee on Nominations recommended the election of the officers for 1902 (see p. 8). A motion was then passed to elect a publishing committee, consisting of three members of the Society, whose duties it shall be to assist the editor of the *Publications* by passing upon the historical value of the manuscripts referred to it.

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[1] This contribution was not satisfactorily completed in time for insertion in this volume of the *Publications*.

[2] These papers were not submitted to the editor in time for insertion in this volume of the *Publications*.

The following members were appointed on this committee: Dr. R. W. Jones, Prof. Dabney Lipscomb, and Prof. James M. White. No papers were formally presented at this session. The exercises consisted entirely of discussions of matters of general interest to the Society and to the cause of history in the State. The following papers were presented by title: "Reminiscences of Olden Times in Clark County," by Mr. John H. Evans, of De Soto, Miss.; "Bernard Romans' Map of 1772" (see p. 415), by Mr. H. S. Halbert, of Meridian, Miss.; "Location and Description of the Emmaus Mission" (see p. 411), by Mr. John H. Evans; "The Identification of the Choctaw Missionary Stations in Oktibbeha and Lowndes Counties,"[3] by W. W. Magruder, Esq., of Starkville, Miss.; "The Catholic Church in Mississippi during Colonial Times" (see p. 351), by Rev. J. B. Bekkers, of Meridian, Miss.; "Route of DeSoto's Expedition from Taliepacana to Huhasene" (see p. 449), by Prof. T. H. Lewis, Archæologist, of St. Paul, Minn.; "Mounds in Oktibbeha County,"[3] by Prof. James M. White, of the A. & M. College of Mississippi; "Description of the Ancient Earthworks Three Miles Southeast of Starkville,"[3] by Prof. James M. White; "Antiquities of Newton County, including a Description of the Ancient Fort in Northwest Lauderdale" (see p. 441), by Capt. A. J. Brown, of Newton, Miss.; "The Mounds of the Natchez District,"[3] by Mrs. Irwin Huntington Burton, of Meridian, Miss.; "The Yowanne Indians" (see p. 403), by Hon. Peter J. Hamilton, of Mobile, Ala.; "Identification of the Site of the Home of Pushmataha on the Buckatunna,"[3] by Rev. T. L. Mellen, of Forest, Miss.; "The Choctaw Towns and Trails East of Pearl River,"[3] by Rev. T. L. Mellen, of Forest Miss.; "Identification of the Site of the Choctaw Agency on the Chickasawha,"[3] by Hon. J. M. Wilkins, of Buckatunna, Miss.; "Location and Description of the Treaty Grounds of Doak's Stand, or Puckshenubbee's Treaty,"[3] by Supt. W. I. Thames, of Poplarville, Miss.

The fourth and last session of the meeting was held in the Hall of Representatives on the evening of January 10th, at 8 o'clock. Judge S. S. Calhoun, of Jackson, Miss., read a brief paper entitled "Causes and Events that Led to the Calling of the

[3] These papers were not submitted to the editor in time for insertion in this volume of the *Publications*.

Constitutional Convention of 1890" (see p. 105). A unique contribution to the *ante bellum* history of the State was then presented by Mrs. N. D. Deupree, of Oxford, Miss., whose paper was entitled "The Historic Homes of Mississippi" (see p. 245). Mr. H. S. Halbert, of Meridian, Miss., gave a graphic and interesting account of the "Treaty of Dancing Rabbit Creek" (see p. 373). The following papers which relate to the Constitutional Convention of 1890 were then presented by title: "History of the Measures Submitted to the Committee on Bill of Rights and General Provisions,"[4] by Hon. Edward Mayes, of Jackson, Miss.; "History of the Measures Submitted to the Committee on Legislation,"[4] by Hon. R. H. Thompson, of Jackson, Miss.; "History of the Measures Submitted to the Judiciary Committee,"[4] by Hon. Murry Smith, of Vicksburg, Miss.; "History of the Measures Submitted to the Committee on Elective Franchise, Apportionment, and Elections" (see p. 129), by Hon. J. S. McNeilly, of Vicksburg, Miss.; "History of the Measures Submitted to the Committee on Education,"[4] by Hon. W. C. Richards, of Columbus, Miss.; "History of the Measures Submitted to the Committee on Preamble,"[4] by Hon. S. E. Packwood, of Magnolia, Miss.; "History of the Measures Submitted to the Committee on Penitentiary" (see p. 111), by Hon. J. H. Jones, of Woodville, Miss.; "History of the Measures Submitted to the Committee on Levees, Harbors, etc.,"[4] by Hon. J. T. Cutrer, of Clarksdale, Miss.; "History of the Measures Submitted to the Committee on Temperance and Liquor Traffic,"[4] by Hon. D. R. Barnett, of Yazoo City, Miss.; "The Effects of the Constitution as Shown in the Code of 1892,"[4] by Hon. R. B. Campbell, of Greenville, Miss.

Dr. Charles Hillman Brough, in behalf of the Committee on Nominations, of which he was chairman, presented the following resolution, which was unanimously adopted by the Society:

"*Resolved*, That the thanks of this Society be extended to Dr. Franklin L. Riley, the Secretary, to whose energy and enthusiasm the success not only of this meeting but of our Society in general is due."

The following resolution was offered by Prof. James M. White and unanimously adopted by the Society:

[4] These papers were not submitted to the editor in time for insertion in this volume of the *Publications*.

"*Resolved,* That the thanks of this Society be extended to the citizens of Jackson and to the members of the Legislature for the interest they have shown in the work of the Society by their attendance upon the sessions of this meeting and to the members of the First Baptist Church of Jackson for their kindness in granting the use of their building to the Society."

Dr. Franklin L. Riley then offered a resolution, which was also adopted by the Society. It reads as follows:

"*Resolved,* That in accordance with a recommendation of the Mississippi Historical Commission this Society authorize the removal of its archives from the University of Mississippi to the rooms provided for the use of this Society in the new State House, in case the Legislature of the State should see fit to provide adequate protection for the said archives by the creation of a Department of Archives and History."

Gen. Lee made some eloquent and stirring remarks on the importance of recording facts pertaining to Southern history and upon the work and the needs of the Mississippi Historical Society, inviting those in attendance to become members of the organization. The Society then adjourned, subject to the call of the Executive Committee.

REPORT OF THE SECRETARY AND TREASURER, 1898-1902.

An official report of the Secretary and Treasurer of the Mississippi Historical Society for the five years that have elapsed since its reorganization in 1898 is here given in response to numerous inquiries with reference to the development of historical work in the State. At the last meeting of the Society, before the suspension of its activity, in 1893, the following officers were elected: Ex-Gov. Robert Lowry, President; Dr. R. W. Jones, Vice-President; Chan. R. B. Fulton, Archivist; and Dr. William Rice Sims, Secretary and Treasurer. Shortly after entering upon the discharge of his duties as Professor of History in the University of Mississippi, in 1897, the writer was requested by Dr. Jones and Chan. Fulton to accept the position of Secretary and Treasurer of the Society, which position had been vacant for more than four years. At that time the outlook for the Society was by no means encouraging, and its former friends had for the most part but little hope of the final success of the efforts to revive it. The most encouraging feature of the outlook was the fact that although there seemed to be few who would enter heartily into the work, there were none who would actively oppose it.

At a meeting of the State Teachers' Association, held at the University of Mississippi in the summer of 1897, a resolution was introduced at the request of the writer, asking the Legislature "to appropriate $2,000 to the Mississippi Historical Society to enable it to carry out the patriotic purposes for which it was organized." Although this resolution met some opposition it was passed by the Association.

First Public Meeting.

Realizing the importance of holding public meetings in order to create an interest in the Society, the newly appointed Secretary promptly addressed a circular letter to a number of his personal friends, appealing to them for aid in this work and requesting them to prepare historical papers to be read at a meeting which he, with

the approval of Dr. Jones and Chan. Fulton, had called to assemble in Jackson, Miss., on Jan. 7th and 8th, 1898. The responses were encouraging in that they gave assurance of an interesting program for the first public meeting of the Society. When this session was held, the Society had only nine members, six of whom were in attendance. There were present, however, a large number of visitors and friends, and much interest was manifested in the work. Several valuable papers were read and, at the request of the Secretary, were presented to the Society for publication. The press of the State gave very complimentary accounts of the proceedings, thereby directing the attention of the public to the work of the Society. This was followed by a rapid increase in membership. An Executive Committee was selected to co operate with the Secretary in the work which he had undertaken.

Outline of Work.

The Executive Committee of the Society has kindly permitted the utmost freedom to the Secretary in outlining and putting into execution the work of the organization. He has attempted to develop the historical interests of the State by projecting the work of the Society along the following lines: (1) The holding of annual public meetings for the purpose of stimulating interest in State history and of disseminating valuable facts relative thereto; (2) the publishing of worthy contributions to State history; (3) the fostering of affiliated local organizations for historical purposes; (4) the collecting and preserving of historical materials; (5) the locating and cataloguing of the sources of State history.

Annual Meetings.

Since the first annual meeting of the Society four other public meetings have been held, each of which has served to show that the Society has grown rapidly in public favor. They were held in Jackson (1898), Natchez (1899), Jackson (1900), Meriden (1901), and Jackson (1902). At the suggestion of the Secretary, the Executive Committee has adopted the policy of holding the meetings of the Society in the State capital biannually, in the latter part of the first week after the assembling of the Legislature. These meetings have been largely attended by members of the

Legislature, which fact largely accounts for their liberality in making appropriations to the Society. The meetings which were held in Natchez and in Meriden aroused much local historical interest and greatly advanced the welfare of the Society.

Publications.

Upon the recommendation of the Secretary, the Executive Committee, in 1898, authorized the issuing of a publication, which contained the papers read at the first public meeting. A small pamphlet of only 110 pages was then issued. This was a modest beginning of what has probably been the most important phase of work undertaken by the Society. The year following a second pamphlet was issued, containing 250 pages. These publications were printed at the expense of the Society, but the debt incurred in issuing them led the Secretary to seek for State aid in this important work. In response to a memorial, which was prepared by him, signed by the Executive Committee and presented to the Legislature by the President of the Society, Gen. Stephen D. Lee, that body passed an act appropriating $2,000 to aid the Society in printing its Publications during the years 1900 and 1901. Since that time the Society has issued three other volumes, containing 1,280 pages, all of which were bound in cloth. All of these Publications have been edited by the Secretary. The undistributed copies of Volume I. and II., which were originally issued in pamphlet form, were also bound in cloth by the Society, after receiving legislative aid. These Publications have been sent to a large number of libraries in different parts of the United States and in foreign countries, and the demand for them is steadily increasing. An evidence of the estimation placed upon this phase of work by the Legislature of the State is found in the fact that early in the present year another appropriation of $2,000 was made to the Society for this purpose.

Affiliated Societies.

In order to unify the historical work in the State and to develop an interest in local history, the Secretary has encouraged the organization of affiliated societies. Only three organizations of this kind have been effected. Their existence has been more or less precarious and the work they have accomplished has fallen

short of expectation. It is hoped, however, that this important phase of activity will receive from the public the consideration which it deserves.

Archives and Museum.

This phase of work was apparently the only one undertaken by the Society when originally organized. As a consequence, a few valuable historical manuscripts and relics, belonging to the Society, were found by the present Secretary when he entered upon the discharge of his duties. During the last five years this collection has been largely increased, the most important additions thereto being the papers and correspondence of Gen. Adelbert Ames, and a collection of letters, addressed to Mr. A. H. Stone and relating to the literary history of the State. A catalogue of the contents of the archives and museum of the Historical Society will be found in the *Publications* of the Society, Vol. V ("Report of the Mississippi Historical Commission," pp. 173-198). At the fifth annual meeting of the Society a resolution was passed authorizing the removal, under certain conditions, of its archives from the University of Mississippi to Jackson, Miss. (See p. 13.)

Historical Commission.

In order to promote the historical interests of the State, by the locating and cataloguing of the sources of State history, the Secretary drafted a bill, referred to above, which was submitted to the Legislature of 1900, looking toward the establishment of an Historical Commission. Several days were devoted by him to the advocacy of this bill before the Legislature. The success of the measure, which was passed unanimously by the lower House and by a large majority in the Senate, is largely due to the unqualified endorsement and hearty support which it received from the newly elected Chief Executive of the State, Governor A. H. Longino, who has won for himself the enviable distinction of being the first Governor of the State to recommend the granting of a legislative appropriation to the Historical Society.

Gen. Stephen D. Lee, the President of the Society, appointed the following members to constitute the Historical Commission: Dr. Franklin L. Riley, of the University of Mississippi, Chairman;

Col. J. L. Power, of Jackson, Miss.; Bishop Chas. B. Galloway, of Jackson, Miss.; Gerard Brandon, Esq., of Natchez Miss.; and Capt. P. K. Mayers, of Pascagoula, Miss. Mr. Brandon and Capt. Mayers subsequently resigned and were succeeded by Prof. J. M. White, of the Agricultural and Mechanical College of Mississippi, and Rev. T. L. Mellen, of Forest, Miss. Unfortunately Col. Power died before accomplishing any work as a member of the Commission. Out of deference to his memory, however, his successor was not appointed on the Commission. Because of the pressure of other duties Bishop Galloway and Mr. Mellen were unable to devote any time to preparing reports on the subjects which were assigned to them. The burden of the work fell, therefore upon the Chairman and Prof. White, who devoted five months of arduous and unremitting labor to the duties assigned to the Commission. They were so fortunate as to receive some assistance from the following scholarly gentlemen, who have done much work in the field of Mississippi history: Peter J. Hamilton, Esq., of Mobile, Ala.; Thomas M. Owen, Esq., of Montgomery, Ala.; Mr. H. S. Halbert, of Lucile, Miss.; and Capt. A. J. Brown, of Newton, Miss. The Report was published in a volume of 394 pages and was issued as Volume V. of the *Publications of the Mississippi Historical Society.* It represents the most elaborate and pretentious historical work that was ever done without compensation by any citizens of the State. It has been favorably reviewed by a large number of historical publications, issued in different parts of the United States.

Correspondence.

The work of the Society has been accomplished almost entirely by correspondence. Much time has, therefore, been devoted to the writing of letters relative to the various interests of the Society. This work was done entirely by the Secretary until July 1, 1901. A few months before that time, the Executive Committee realized that, as the Secretary received no compensation for his work, the duties of his position were demanding more of his time than it was just to expect. It, therefore, authorized the employment of a stenographer by the Society. This step was rendered doubly necessary because of the fact that the correspondence of the Society had grown so voluminous that it became impossible

for the Secretary to do the work without the aid of an assistant. A few months later Miss Annie Berry, of Magee, Miss., accepted the position, the duties of which she has faithfully discharged until the present time. In conducting the correspondence of the Society, the Secretary has tried uniformly to give prompt replies to all communications received, and has spared no pains to conduct an aggressive historical campaign along the various lines of work fostered by the Society. All the letters that have been received,—several thousand in number—have been carefully filed and preserved.

Legislative Acts.

The Secretary spent several days in Jackson during the first and second weeks after the assembling of the Legislature in January, 1898. After interviewing the Governor and several members of the Legislature he came to the conclusion that the time was not ripe for pressing the interests of the Historical Society before that body. He also encountered another obstacle in the fact that the Legislature was then assembled in a called session and he could not get an historical bill submitted for consideration.

When the Legislature assembled in regular session two years later, he renewed his efforts to procure State aid. He found that a kindly reference which was made to the Society by the newly elected Governor in his inaugural address had prepared the way for effective work in behalf of that organization. Shortly afterwards Gen. Stephen D. Lee submitted to the Legislature in person a memorial, which had been prepared by the Secretary and signed by the Executive Committee, showing the importance of State aid to the Historical Society[1] and discussing the necessity therefor.

At the next session of the Legislature, in the winter of 1902, the Secretary spent over two weeks at the State capital, looking after the interests of the Society. He prepared for legislative consideration a bill which was kindly introduced into the upper House by Hon. E. H. Moore, of Rosedale, Miss. Although the committee to which it was referred made a favorable report, the

[1] A copy of this memorial will be found in the *Publications of the Mississippi Historical Society*, volume III., pp. 15-20. It embodied an act which was passed by the Legislature and approved on March 2, 1900.

bill was lost upon the first vote. A motion to reconsider was fortunately entered.

Upon receiving information of the defeat of the measure, the Secretary went without delay to Jackson in order to get, if possible, a favorable reconsideration of the bill. Several days were passed in advocacy of the measure, before there was any certainty of its success before the Senate. There was little interest in the matter, the attention of the members of the Senate being absorbed in a number of other measures, which were thought to be of more importance. An address delivered before the Senate by General Lee, who was in Jackson at the time the bill was defeated, prepared the way for the work of the Secretary. Upon the suggestion of Hon. W. M. Cox, of the lower House, the Secretary of the Historical Society rewrote the measure, dividing it into two bills,—one providing for the establishment of a State Department of Archives and History and the other for its support and for defraying the expenses of issuing future *Publications* of the Society. These bills were introduced into the Senate by Hon. E. H. Moore, in lieu of the first measure. They were favorably reported by the committees to which they were referred and were passed by a large majority of the Senate two weeks after the defeat of the first measure. Through the courtesy of the Chairman of the House Committee on Appropriation, Hon. Albert S. Kyle, the Secretary, was given two hearings before that committee in advocacy of the appropriation bill, the importance of which was involved in the necessity for establishing a new State office. The bill for creating the Department of Archives and History was submitted to the Judiciary Committee and was favorably recommended, largely through the efforts of Hons. W. M. Cox and E. J. Bowers. Both bills were soon reported and passed by a large majority in the lower House. They were approved by the Governor on Feb. 26, 1902. These bills are as follows:

AN ACT to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, and to prescribe its functions and duties.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That there be established for the State of Mississippi and under the auspices of the Mississippi Historical Society, a Department of Archives and History to be located in the State Capitol in apartments to be set aside for its use by the Governor; and the objects and purposes of the said Department are the care and custody of official archives, the collecting of materials bearing upon the history of the State and of the territory included

therein, from the earliest times, the editing of official records and other historical materials, the diffusion of knowledge in reference to the history and resources of this State, the encouragement of historical work and research and the performance of such other acts and requirements as may be enjoined by law.

SEC. 2. (1) That the said Department shall be under the control of nine Trustees chosen from the membership of the Mississippi Historical Society. (2) That the present Executive Committee of the Mississippi Historical Society shall constitute the first Board of Trustees. (3) That immediately after assembling in response to a call of the President the said Board of Trustees shall be equally divided by lot into three classes. The term of service of the first class shall expire at the end of two years; of the second class at the end of four years; of the third class, at the end of six years; the beginning of the several terms of service for the purpose of this Act to be January 1, 1902. (4) That the Board shall have the power and authority to fill all vacancies occurring therein, whether by expiration of term of service, or by death or resignation, but the names of all newly elected members shall be communicated to the next ensuing session of the State Senate for confirmation, and in case it shall reject any of the said newly elected Trustees it shall proceed forthwith to fill the vacancy, or vacancies, by an election. (5) That all Trustees chosen to succeed the present members or their successors whose respective terms shall have fully expired, shall serve for a term of six years, and appointees to fill vacancies by death or resignation shall serve only the unexpired terms of their predecessors. (6) That the said Board of Trustees shall hold at the State Capitol at least one regular meeting during the year, and as many special meetings as may be necessary, and at said meetings five members shall constitute a quorum. (7) The Director, hereinafter provided, shall be Secretary of the Board. (8) The Trustees shall receive no compensation for their services other than the amount of their necessary expenses, actually paid out while in attendance on the meetings of the Board, or the business of the Department. (9) The said Board is empowered to adopt rules for its own government, and for the government of the Department; to elect a Director, and to provide for the selection or appointment of other officials, or employees as may be authorized; and to do and perform such other acts and things as may be necessary to carry out the true intent and purpose of this Act.

SEC. 3. (1) The Department shall be under the immediate management and control of a Director, to be elected by the Board of Trustees, whose term of service shall be six years, and until his successor is elected and qualified. (2) He shall take an oath of office as do other public officials, and shall be commissioned in like manner. (3) He shall devote his time to the work of the Department, using his best endeavor to develop and build it up, so as to carry out the design of its creation. (4) He shall have the control and direction of the work and operations of the said Department and shall preserve its collection, care for the official archives that may come into its custody, collect as far as possible all materials bearing upon the history of the State and the territory included therein from the earliest times, prepare the official registers, hereinafter provided, and diffuse knowledge in reference to the history and resources of the State. (5) He shall direct the future work of the Mississippi Historical Commission of which he shall be *ex-officio* chairman.

SEC. 4. That any State, county or other official is hereby authorized and empowered in his discretion to turn over to the Department for permanent preservation therein any official books, records, documents, original papers, newspaper files, and printed books not in current use in their offices. When so surrendered copies therefrom shall be made and certified by the Director upon the application of any person interested, which

certification shall have all the force and effect as if made by the officer originally in the custody of them and for which the same fees shall be charged to be collected in advance.

SEC. 5. That an official and statistical register of the State of Mississippi shall be compiled by the Director after each general election to contain: (1) Brief sketches of the several State officials, the members of Congress from Mississippi, the Supreme Court Judges, the members of the Senate and House of Representatives of the State of Mississippi, (2) rosters of all State and county officials, (3) lists of all the State institutions with officials, (4) State and county population and election statistics, and (5) miscellaneous statistics; and said register shall be published in an edition of one thousand copies for free distribution, the printing and the binding to be paid for as is other public printing and binding.

SEC. 6. That the Department is charged with the duty of making special effort to collect data in reference to soldiers from Mississippi in the war between the United States and the Confederate States both from the War Department at Washington, and from private individuals, and to cause the same to be prepared for publication as speedily as possible.

SEC. 7. That the said Director or Archivees and History shall coöperate with the Secretary of the Mississippi Historical Society in preparing for the press and contracting for and publishing the future annual publications of the said Historical Society.

SEC. 9. That this act take effect and be enforced from and after its passage.

Approved February 26, 1902.

AN ACT to provide for the maintenance of the Department of Archives and History, and to aid the Mississippi Historical Society in issuing its future publications and distributing the same.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated out of any funds in the State treasury not otherwise appropriated, for the purpose of providing for the maintenance of the Department of Archives and History and to aid the Mississippi Historical Society in issuing future publications and distributing the same:

Salary of Director for 1902,	$1,800 00
Salary of Director for 1903,	1,800 00
Maintenance of Department, 1902,	700 00
Maintenance of Department, 1903,	700 00
Traveling expenses, Director, 1902,	250 00
Traveling expenses, Director, 1903,,	250 00
Printing and distributing publications of society, 1902,	1,000 00
Printing and distributing publications of society, 1903,	1,000 00

SEC. 2. That the auditor is hereby authorized to issue warrants for the payment of the above sums upon the application of the Board of Trustees of the Department of Archives and History when the same is approved by the governor.

SEC. 3. That this act take effect and be in force from and after its passage.

Approved February 26, 1902.

Department of Archives and History.

The first meeting of the Board of Trustees of the newly created Department was held in the Library of the State capitol,

March 14, 1902, for the purpose of inaugurating this important phase of historical work. Dunbar Rowland, Esq., of Coffeeville, Miss., was elected to the position of Director, and the rules and regulations for the government of the Department were adopted on March 15, 1902. In compliance with the bill, two rooms in the old Capitol were assigned as the temporary headquarters of the Department, pending the completion of the new State House, in which ample provision has been made for its accommodation.

Transfer of Archives.

At the fifth annual meeting of the Historical Society the Secretary introduced a resolution providing for the removal of the archives of the Mississippi Historical Society, now deposited in the Library of the University of Mississippi, "to the rooms provided for the use of this Society in the new State House, in case the Legislature of the State should see fit to provide adequate protection for the said archives by the creation of the Department of Archives and History." The State having established such a Department, the valuable collection of papers and relics belonging to the Society will be removed in compliance with this resolution upon the completion of the new State House. The Society will then discontinue its activity as a collecting agency, this work being transferred to the Department of Archives and History.

Tympanum of New State House.

In October, 1901, the Capitol Commission requested that the members of the Historical Society suggest a fitting ornamentation for the tympanum of the new State House. This action was communicated by Governor Longino to the Secretary, who in turn notified the active members of the Society of the same. As a result a large number of interesting suggestions were made by the members of the Society. Although the suggestions of no members were adopted in full, the architect to whom the various suggestions were referred prepared a group of figures embodying what he conceived to be the best features of the various suggestions submitted.[2]

[2] A complete file of these interesting suggestions will be found in the Archives of the Society.

Financial Statement.

The receipts and disbursements of the Treasurer of the Society since its organization have been as follows::

Year.	*Receipts.*	*Disbursements.*
1898	$111 50	$125 67
1899	223 90	206 62
1900	1,065 65	1,031 12
1901	1,388 05	1,368 06

As the accounts of the Society for 1902 will not be closed before the end of the year, the receipts and disbursements for this period cannot be given in this connection. Whenever the expenses of the Society have been in excess of the receipts the necessary funds have been voluntarily advanced by the Treasurer. All of the accounts of the Society, with the accompanying vouchers, have been from time to time examined by a member of the Executive Committee, as required by the By-Laws and Constitution, and the Treasurer's book contains statements to this effect.

Membership.

The membership of the Society has grown steadily since its reorganization. There are now on the roll 235 active members and 14 honorary members. Of this number, 76 active and 12 honorary members were elected before the Society suspended its work in 1893. Many of them had not qualified as members, however, by the payment of dues, some of them not having been informed of their election.

During the five years covered by this report the Society has lost by death the following active members: Mrs. A. C. Peyton, Judge R. A. Hill, Mrs. Mildred Maury Humphreys, Col. J. L. Power, Dr. T. D. Isom, and Dr. S. A. Agnew. It has also lost during this period the following honorary members: Sen. E. C. Walthall and Prof. Herbert B. Adams.

Conclusion.

The historical outlook in Mississippi is full of promise. The past achievements of the Society are believed to be prophetic.

The organization faces the future with a prestige begotten of success. Its friends believe that the results already accomplished have justified the efforts expended, and they are encouraged to work for and to expect greater things in this important field of labor.

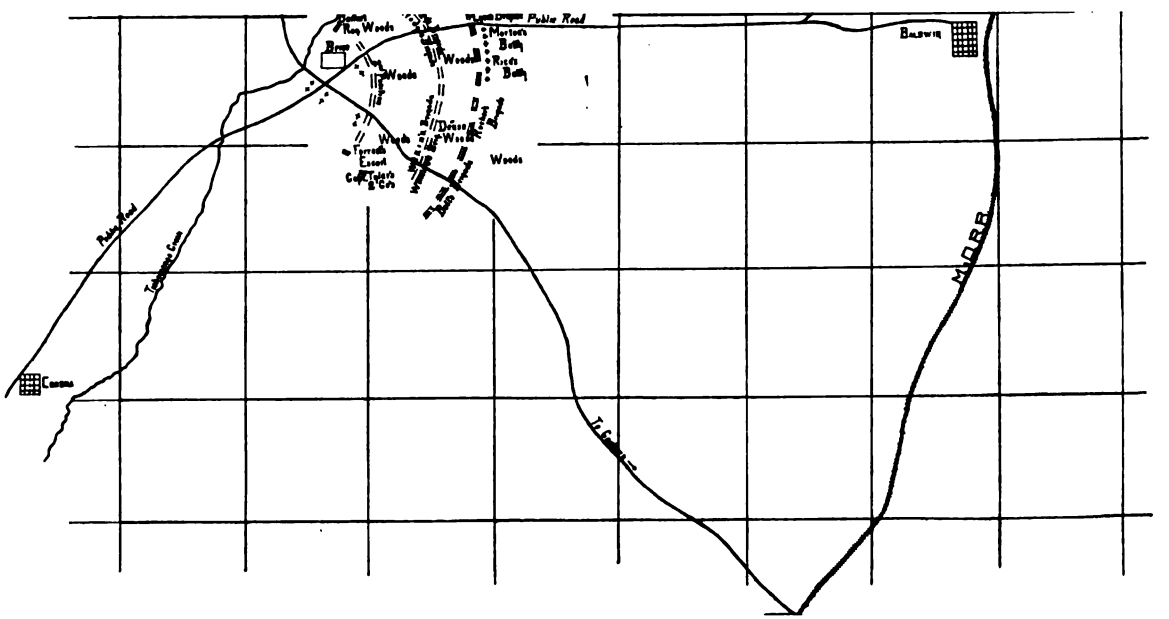
FRANKLIN L. RILEY, *Secretary and Treasurer.*

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BATTLE OF BRICE'S CROSS ROADS, OR TISHOMINGO CREEK, JUNE 2nd TO 12th, 1864.

By Stephen D. Lee.[1]

The campaign of Gen. Sherman, with his infantry command, from Vicksburg to Meridian, Miss. (February 3rd to March 5th, 1864), and his cavalry column, under Gen. William Sooy Smith, from Colliersville, Tenn., to West Point, Miss., (February 11th to February 26th, 1864), left the two cavalry divisions of Generals S. D. Lee and N. B. Forrest much worn by excessive fatigue in marching and fighting continuously for over a month. The close of the campaign found Gen. Lee's division in the vicinity of Canton, Miss., resting and recruiting, and Gen. Forrest's command in the prairie region of Northeast Mississippi, near Okolona and Tupelo.

The great campaign in North Georgia between Gen. Sherman on the Union side and Gen. Joseph E. Johnston on the Confederate side was about beginning, and troops were being sent to reinforce Gen. Johnston from Mississippi and other states of the Confederacy. As early as April 10th, Gen. Lee was ordered with part of his division from Canton, Miss., to Tuscaloosa, Ala., with the command of W. H. Jackson's two brigades and of Ferguson's brigade. On April 13th, Gen. Lee was put in command of all the cavalry in the Department of Mississippi, Alabama, East Louisiana, and West Tennessee, including Gen. Forrest's command. On May 4, Gen. Lee's own division was moved to Montevallo, Ala., to be nearer Gen. Johnston's army. On the 9th day of May, Gen. Polk with two infantry divisions (Loring's and French's), which had been assigned to the defense of Mississippi, were sent to reinforce Gen. Johnston's army.

Gen. S. D. Lee was relieved of the personal command of his cavalry division, which was also sent to report to Gen. Johnston, while he was ordered to relieve Gen. Polk of the command of his

[1] A biographical sketch of the author of this contribution will be found in the *Publications of the Mississippi Historical Society*, Vol. III., pp. 21-22.—Editor.

department: viz., Mississippi, Alabama, East Louisiana, and West Tennessee.

This disposition of troops took all the infantry out of the department except the small garrison left in Mobile for its defense.

Small garrisons (mainly for post duty), cavalry and artillery, were also left at Meridian, Miss., Selma, Ala., and a few paroled men at Enterprise, Miss., to protect public property at those places. The cavalry consisted of the recently organized command of Gen. Forrest in North Mississippi, only partially armed, of Adams' brigade between Jackson and Vicksburg, Miss., of Roddey's cavalry in North Alabama, and of Gholson's brigade of state cavalry in Mississippi. The effective force was about 16,000 men, scattered along the river front from Louisiana to Memphis, and along the northern frontier of Mississippi and Alabama, from Memphis, Tenn., to Georgia. Opposed to this force of cavalry were large garrisons of infantry and cavalry at Baton Rogue, La., Vicksburg, Miss., Memphis, Tenn., and in North Alabama (mainly at Decatur) making constant raids into the interior from those localities.

As Gen. Sherman gradually pressed Gen. Johnston's army back from Dalton, Ga., towards Atlanta, the railroads in Mississippi, connecting the prairie, or corn region, with Meridian; the railroads from Meridian through Selma and Montgomery, Ala., to Atlanta, Ga., which mainly supplied Gen. Johnston's army in North Georgia with provisions; and the machinery and shops at Selma and Montgomery, Ala., for the manufacture of ordnance, harnesses, and ammunition, were a constant source of uneasiness to Gen. S. D. Lee and to the authorities at Richmond, Va., for fear of raids and large expeditions from North Alabama into the interior of the State to Selma or Montgomery.

Great pressure was brought to bear on Gen. Lee by Gen. Johnston and through Gen. Polk to have him move all his disposable cavalry force from Mississippi into Alabama to protect the flank of Johnston's army and the immediate source of supplies for that army, or to virtually abandon the State of Mississippi to raids and move into Middle Tennessee to operate on and break up the railroads supplying Sherman's army confronting Gen. Johnston.

In response to this constant pressure, Gen. Lee (May 22nd) moved one of Gen. Forrest's cavalry divisions under Gen. Chal-

mers from Tupelo, Miss., to Montevallo, Ala., as the enemy had concentrated a force of 8,000 men at Decatur apparently to move into Middle Alabama. This Federal force was so threatening that on May 31st, in response to most urgent appeals, Gen. Lee ordered Gen. Forrest to move with his other division of cavalry from Tupelo, Miss., into North Alabama to aid Generals Roddey and Chalmers in checking this force, as it was reported to be moving towards Montgomery. The column, however, turned eastward and reinforced Gen. Sherman in North Georgia.

Gen. Forrest had scarcely reached Russellville, Ala., when a large force of 8,000 men under Gen. Sturgis left the Memphis and Charleston railroad (just over the Mississippi border) near Saulsbury, Tenn. They were headed for the prairie region of Mississippi, and for Columbus, Miss., and Selma, Ala. This was a well organized force intended to defeat and crush Forrest as shown by the dispatches. Gen. Lee at once recalled Forrest from Alabama to meet this formidable invasion of Mississippi. That energetic officer returned with only one of his divisions and a part of Gen. Roddey's force, leaving Gen. Chalmers still in Alabama to protect the interior of the State and the roads and the shops.

As previously stated, in consequence of the recent expeditions of Gen. Forrest into West Tennessee, a large Federal force was kept constantly at Memphis, Tenn., for the purpose of threatening Mississippi. Gen. Sturgis with a large force had followed Gen. Forrest out of Tennessee, and had pursued him as far south as Ripley, about May 10th, returning thence to Memphis. Gen. Lee was being pressed to send Gen. Forrest into Middle Tennessee, and had arranged to do so about the 17th of May. The column was about starting when definite information was acquired of a large force in Memphis, organizing to march against Forrest on the M. & O. Railroad. This caused Gen. Lee to suspend the movement upon the advice of Gen. Forrest. On May 22nd a large force at Decatur, Ala., threatened the shops and railroads at Montgomery and Selma and one of Gen. Forrest's divisions under Gen. Chalmers was sent to Montevallo, Ala., to meet any emergency from that source.

The delay in starting the expedition from Memphis caused Gen. Forrest to believe it was not coming; and in his telegram of May 29th (p. 628, Serial Number No. 78—*Rebellion Records*) he

said that, "The time has arrived, if I can be spared and allowed 2,000 picked men from Buford's division, ... will attempt to cut enemies communication in Middle Tennessee." But the movement of a column of 8,000 men from Decatur, Ala., southward, which proved to be a feint in favor of Gen. Sturgis, caused Gen. Lee (May 31st) to order Gen. Forrest to move with "his disposable force" to help Gen. Roddey in resisting this column. Gen. Forrest left Tupelo, Miss., June 1st with a picked command of 2,400 men and two batteries, leaving only a small force in Mississippi. He got as far as Russellville, Ala., where Gen. Lee stopped him with another order on June 3rd, to return immediately to Tupelo, Miss., to meet Gen. Sturgis's expedition, which was marching into Mississippi. Gen. Lee at the same time ordered Gen. Roddey to reinforce Gen. Forrest in Mississippi, as the column that had started from Decatur had moved eastward to reinforce Gen. Sherman in Georgia. Gen. Chalmers' division was still left in Alabama; but later, McCullough's brigade was ordered back into Mississippi to reinforce Gen. Forrest.

The army of Gen. Sturgis was most carefully organized and equipped, and was intended to defeat and crush Gen. Forrest, to destroy the railroads south of Corinth, and to penetrate as far into Mississippi as Columbus and Macon, returning thence by way of Grenada, Miss., to Memphis. It was made up of a division of cavalry commanded by Gen. Grierson, composed of two brigades,—one commanded by Col. Waring (1,500 men), the other by Col. Winslow (1,800 men). The infantry division under Col. McMillan's command was composed of three brigades, which were commanded by Col. Wilkins (2,000 men), Col. Hoge (1,600 men), and Col. Bouton (negro brigade,—1,200 men) in addition to 400 men, who had charge of 22 pieces of artillery. According to these figures the Federal force represented a total of 8,500 men, equipped and rationed for 20 days, and accompanied by a train of 250 wagons. Gen. Sturgis left Lafayette, Tenn., June 2nd, and marched south of the railroad (M. & O.), via. Salem and Ruckersville, reaching Ruckersville on June 6th. One of his brigades, which was detached, struck the railroad at Rienza, 10 miles south of Corinth. This indicated that the column might be going by Corinth to reinforce Gen. Sherman in Georgia. Here Gen. Sturgis abandoned his plan of moving as far north as the M. & O. railroad, and moved south to Ripley, Miss., at which point

he took the Ripley and Guntown road in a southeasterly direction, encamping at Ripley on June 7th. He had been delayed by excessive rains and muddy roads, and reached Stubb's farm, 16 miles from Ripley, on the night of June 9th. This place was also 9 miles from Brice's Cross Roads, where the battle was fought. At this point, the road from Baldwin, Miss., to Pontotoc crossed the Ripley and Guntown road almost at right angles and made the "Cross Roads." From the "Cross Roads," it was 6 miles to Guntown and 5 miles to Baldwin each on the M. & O railroad. The country was slightly undulating and thickly wooded, with little cleared ground.

Gen. Forrest, on receiving the order at Russelville, Ala., promptly retraced his steps, arriving at Tupelo on the evening of June 5th. He at once began to move his command into positon, awaiting the development of the plans of the enemy. He learned that the enemy were at Ruckersville on June 6th, and that a brigade was also at Rienza. He moved Buford's division first to Baldwin and then to Booneville and ordered Bell's large brigade to Rienza. Rucker was at Booneville by Gen. Lee's order. At Baldwin on the evening of June 9th, Gen. Forrest learned for the first time that the enemy had changed his plans, and had abandoned his northern route and was moving on the Ripley and Guntown road.

With the concurrence of Gen. Lee, he at once issued orders to move his troops rapidly to the southward, to get in front of Sturgis's command, now that his plans were more fully developed. He hoped by a rapid movement to reach and pass Brice's Cross Roads before the Federal army reached that point. Bell was at Rienza, 25 miles distant, and his artillery was at Booneville, 16 miles to the north. Rucker was also at Booneville, and Lyon's and Johnson's brigades were at Baldwin,—Johnson's brigade of Roddey's command having just arrived. The enemy however was nearer the "Cross Roads" than was expected, having encamped, and concentrated at Stubbs' farm on the Ripley and Guntown road on the night of the 9th, when Forrest first learned of the change of direction of the Federal column. But all that rapid marching and movement could accomplish was being done, and Forrest had his entire force in the vicinity of the "Cross Roads" by 1 p. m. next day, at which hour he had all his command up

and in action. Forrest's troops consisted of Bell's brigade (2,787 men), Rucker's brigade (700 men), Johnson's brigade (500 men), Lyon's brigade (800 men), a total of 4,787 men. He had two batteries of artillery. Gen. Lee and Gen. Forrest were together in consultation at Baldwin when a change of plans by the enemy was first known. It was decided that Forrest should throw his command rapidly in front of Gen. Sturgis, and if possible, draw him farther towards Okolona before fighting. This would enable Gen. Lee, the department commander, to get some additional reinforcements before delivering battle to a force known to be double the available force under Gen. Forrest. It was not certain that Gen. Forrest could get in front of Gen. Sturgis before reaching the "Cross Roads." But he believed he could, and, to expedite matters, the wagon trains were moved southward on the east side of the M. & O. railroad, so as to leave the road clear for the rapid movement of the troops. In a letter of Jan. 31st, 1902, Capt. Sam Donaldson (Gen. Forrest's aide) says, "I remember full well that this consultation was of the most pleasant kind, and that the next day much to the surprise of Gen. Forrest, the commands of Grierson and Sturgis appeared in force, and the great battle of Tishomingo Creek was fought that afternoon." Gen. Lee, early on the morning of June 10th, went by rail to Okolona, both he and Gen. Forrest believing the enemy sufficiently far off to enable all the troops to get by the "Cross Roads" before the enemy arrived at that point.

At 10 a. m., June 10th, Gen. Forrest telegraphed Gen. Lee at Okolona from Baldwin (p. 645, Serial No. 78 *Rebellion Records*):

"Enemy are advancing directly on this place; Johnson's brigade is here; Buford's division and Rucker's brigade with two batteries will be here by 12 o'clock; our pickets have already commenced firing. N. B. Forrest, Major General. I have signed this for the general who directed it sent down by the train. He has moved himself. Chas. W. Anderson, Aide-de-Camp."

The three brigades of Lyon, Rucker, and Johnson were near at hand, while the largest brigade (Bell's) and the artillery were at considerable distance; all moving on a road almost parallel with the railroad and nearer to it than the road by which the enemy were approaching it. Gen. Forrest with that decision, for which he was remarkable, as he found the enemy across his path, decided to give battle at once, with the troops he had. Lyon's brigade

was in front, followed by Rucker's and Johnson's, with the other troops moving rapidly up. He learned the enemy's cavalry was near the "Cross Roads," and would reach that place before he got there, but his scouts began skirmishing west of the "Cross Roads." The enemy reached the roads and formed a line of battle, almost a mile from it on the Baldwin and Guntown roads, having more of a defensive than aggressive spirit.

Gen. Sturgis had sent back to Memphis about 400 disabled men before reaching Stubbs' farm, which made his force about 8,100 men. Gen. Grierson, early on the morning of June 10th, at 5.30 a. m., put his cavalry division in motion towards the "Cross Roads," 9 miles distant. He soon struck Gen. Forrest's scouts, driving them rapidly before him. On reaching the intersection of the roads, he sent strong scouting parties towards Baldwin and Guntown. He met the head of Forrest's column on the Baldwin road, about a mile from the "Cross Roads" about 10 a. m. and at once formed Waring's brigade in line of battle on both sides of the road and covering it. He also moved up Winslow's brigade and put it on the right of Waring's, extending to and covering the Guntown road. He reported meeting the enemy to Gen. Sturgis, who did not start his infantry division till after 7 o'clock. His trains were still further delayed by the bad roads. The infantry under urgent requests, was hurried up, but did not arrive on the field until about 2 o'clock. In the meantime Gen. Grierson became hotly engaged, and although he fought the Confederates from 10 a. m. until 2 p. m. with variable success, he was gradually driven back, and his ammunition was almost exhausted, so that before the head of the infantry arrived on the field, the cavalry was very nearly defeated. Gen. Grierson asked Gen. Sturgis to permit him to withdraw, and move his cavalry to the rear to reorganize and replenish his ammunition as soon as he could be relieved by the infantry. It was so ordered.

The infantry of the Federals arrived almost exhausted. The leading brigade (Hoge's) was at once formed in the rear of Waring, who had already been pressed back about 400 yards on the Baldwin road. The second brigade (Wilkin's) arrived immediately after the first had been put in line, and it was put immediately on the right of Hoge, relieving Winslow's brigade and covering the Guntown road, while the 3rd brigade (Bouton's)

remained further to the rear to guard the numerous wagon trains, which had crossed Tishomingo creek. The fighting slackened a little as the infantry relieved the cavalry, which moved rapidly to the rear, after having been engaged in hard fighting from 10 a. m. till 2 p. m., during which time it had been gradually pressed back by the Confederates. The artillery, owing to the dense wood, could only be used at times. A battery had been put on the Baldwin road. The remainder of the artillery was generally massed near the "Cross Roads" and, as was usual with the Federal Army, the lines of battle were double. The infantry had scarcely got into position (about 2 p. m.) before the confederates made a most furious attack from right to left. Two batteries opened with telling effect on the Baldwin road, the shot falling thick and fast all about the "Cross Roads," among the artillery and reserves, while the fire of the small arms of the confederates was most rapid and telling. This severe fighting continued for over two and a half hours. It was most desperate, and although the Confederates were several times driven back, they recovered themselves, and gradually pressed the infantry line back to the "Cross Roads," until it gave way in utter confusion, pressing towards the bridge over Tishomingo creek, but a short distance in the rear of the battle field. To increase the panic, the Confederates appeared on both flanks about the time the infantry relieved the cavalry, creating great uneasiness as to the safety of the trains and the rear of the army, guarded by the negro brigade under Col. Bouton. Gen. Sturgis and Col. McMillan, who commanded the infantry division, behaved heroically as did their subordinates, but they could not stem the disaster in face of the most rapid and persistent fighting of the Confederates all along their front and flanks. The defeat soon became a rout. The negro brigade was soon disposed of, and the artillery and trains in inextricable confusion gradually fell into the hands of the Confederates. All organization was virtually lost after a vigorous pursuit of a few miles. Unsuccessful attempts were made to reform the line near the trains about dark, at Dr. Agnew's plantation, but a disposition on the part of every one to move to the rear rendered these attempts fruitless. A partial reorganization was attempted at Ripley, the next morning (11th of June). The Confederates still pressed the rapid retreat towards the railroad, which stopped at LaFayette. From

this place the expedition had started and at it Gen. Sturgis was met by reinforcements from Memphis. The expedition was ten days reaching the battle field, but it returned over the same distance in one day and two-nights. Many stragglers escaped from the Confederates and, after wandering through the country, reached the M. & C. railroad several days later.

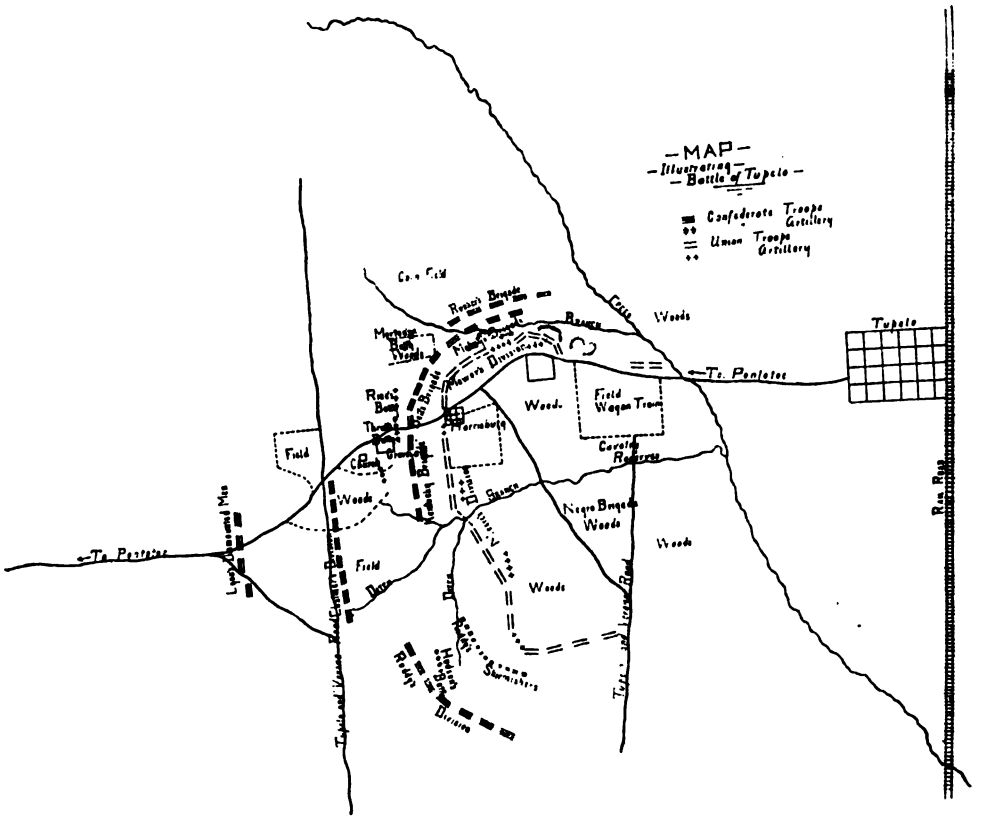
Gen. Forrest, having decided to engage in battle, displayed great skill in handling his troops and in hurrying them up. The three brigades near Baldwin (Lyon's, Rucker's, and Johnson's) numbered 2,000 men, and when dismounted could number little over 1,600 men. With this force he met the advance of Gen. Grierson on the Baldwin road about 10 a. m. Lyon's brigade. which was in front, dismounted and formed into line of battle on both sides of the road. Lyon's brigade was aggressive or defensive as circumstances indicated, but it was fighting all the time. Forrest himself led Rucker's brigade as it came up. Dismounting a part of it, he removed the rest further to the left, and placed it on Lyon's left, stretching it towards the Guntown road. Having ordered a regiment sent to the rear of the enemy, north of the road upon which he was moving early in the morning, he sent his escort company and another company around on the extreme left (the Federals' extreme right). This disposition of the troops made the Federals believe he had a larger force than he really had. He then put Johnson's brigade to the right of Lyon's and on the west side of the Baldwin road. As has been stated, Bell, with his larger brigade, was hurrying by a forced march from Rienza (25 miles) and his artillery was rapidly coming up (16 miles) over the bad roads. They did not arrive, however, until after 1 o'clock. In the meantime, Gen. Forrest was savagely fighting with less than 2,000 men the 3,300 cavalry under Gen. Grierson.

The fighting was most severe, and was conducted with varying success for about three and a half or four hours, and when the infantry of the Federals and Bell and the artillery, the last of Forest's command, arrived on the field, the cavalry of Gen. Grierson had been whipped and were clamoring to be relieved. Waring had already been pressed back by Lyon and Johnson to his second line of battle, about 400 yards. Gen. Sturgis, having arrived on the field, Winslow urged to be relieved, and Gen. Grierson earnestly requesting to be allowed to withdraw his cavalry

to be reorganized and resupplied with ammunition. The placing of the infantry of the Federals, when the cavalry had been fighting for nearly four hours, for a short time stemmed the current of disaster. But before they were entirely in line and the cavalry out of the way (almost in disorder) Gen. Bell arrived with his large brigade and Major Morton with his two batteries. It was the critical hour of the battle. Forrest placed two batteries of artillery on the Baldwin road, and opened a furious cannonade, the effect of which was soon visible. At the same time Gen. Forrest took Bell's brigade and carried it to the extreme left of his line. This fresh arrival at once restored the fortunes of the day in favor of the Confederates, but not without a severe conflict of over two hours, at which time (4.30 p. m.) the entire Union line was being gradually pressed back. The enemy began to break badly. A stand was attempted on a short line near the "Cross Roads," but Forrest gradually pressed around them, being encouraged by the evident discomfiture of the enemy. The artillery was pressed forward and fought at close range. At the same time the regiment to the north and near the rear of the enemy, and the companies to the rear and south, had created almost a panic. Soon the entire command of the enemy gave way. The trains and artillery blocked the bridge over Tishomingo creek, so that the enemy had to wade the stream. Confusion was soon evident everywhere, and disorder reigned. Forrest then had the bridge over Tishomingo creek cleared by throwing wagons and dead animals into the stream. He crossed his artillery and some of his cavalry, and pressed the enemy vigorously. The confusion was increased and the artillery and wagons of the enemy gradually fell into his hands; some of his guns being captured at the "Cross Roads." The others and the wagons were captured in Hatchie "bottom." He pursued the enemy to Lafayette, Tenn., from which place they had started on June 1st. It was simply a matter of endurance of men and horses that saved the entire command from being captured. Forrest had just returned from Alabama and his horses were jaded by the rapid marching and countermarching before the battle, while the enemy were comparatively fresh from their slow progress and short marches daily. The Federals also, when they saw the inevitable, cut out the horses and mules from the artillery and wagon trains, mounted them and were enabled to

get out of the way more expeditiously than they otherwise could have done. These animals, numbering near 2,000, added to Grierson's cavalry made about 5,000 men mounted out of the 8,000 engaged in the battle. When we consider that over 2,000 were killed or captured and 3,000 stands of arms left on the field, it leaves only about one thousand who had to make their way back on foot. Many of those who were mounted were unincumbered by arms.

This battle and victory of Gen. Forrest deservedly gave him a great reputation and was one of the most complete victories of the war. The fruits of the battle as shown in Gen. Forrest's address to his men under date of June 28th, 1864, were 17 guns, 250 wagons, 3,000 stands of arms, and 2,000 prisoners. It is likely however that the loss in men of the enemy did not exceed 2,168, all told. Forrest's own loss was 493 men killed and wounded. It may be fairly stated that taking out the horse holders and guards for the trains, Forrest never had over 3,500 men available in the battle, against 8,100 men of the enemy.


—MAP—
—Illustrating—
—Battle of Tupelo—
Confederate Troops
Artillery
Union Troops
Artillery
Cow Field
Woods
Tupelo
←To. Pontotoc
Field
Wagon Train
Woods.
Harrisburg
Carolin Redoubt
Negro Brigade
Woods
Woods
Field
Woods
←To. Pontotoc
Tupelo and Warren Road
Tutt's and Lipsey Road
Run Road

THE BATTLE OF TUPELO, OR HARRISBURG, JULY 14th, 1863.[1]

By Stephen D. Lee.

As might have been supposed, the disastrous defeat of Gen. Sturgis at Brice's Cross Roads June 10th, 1863, nettled the Federal commanders, Generals Grant, Sherman, and Washburn and, taken in connection with Gen. Forrest's previous successes in West Tennessee and elsewhere, led them to determine to organize a sufficiently large force to destroy or get rid of him. The right wing of the 16th army corps, commanded by Gen. A. J. Smith, had arrived in Memphis from Louisiana (on its way to reinforce Gen. Sherman in Georgia). Two thousand men of this force had been sent to LaFayette to meet the routed army of Gen. Sturgis and save it.

It was decided that the two divisions of the 16th army corps at Memphis should form the nucleus of a new army to defeat and destroy Gen. Forrest. To the two veteran divisions of infantry, under Gen. Mower and Col. Moore was added a large negro bri-

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[1] General Lee made no report of the battle of Tupelo, or Harrisburg, during the war. It is therefore deemed pertinent to add to this account the following in way of explanation at this late day:

"It is a duty which we surviving Confederates owe our families and posterity to prepare and have in accessible form as many facts as possible in regard to the war, that historians in the future may not be in doubt or in the dark. It is not too late yet to correct some errors of record or omission. As a people at large we were not in a humor or favorable condition to write much about the great struggle until its memories began to fade, and the participants still living were greatly scattered and reduced in numbers." As for myself, the busy demands of an active and exacting life have given me no time until the last three years to examine or study the exciting scenes of the great struggle of the sixties.

"The time has come when undue loyalty, sentiment and partisanship must give way before the cold facts of history as recorded in official reports and justice must be done to the American soldier without partiality or favor, and facts ought not to be suppressed because they affect the reputation of a dead man. The United States government has done what no other government ever did. It has prepared in 130 volumes the reports, correspondence, telegrams, maps and official material of the great struggle, giving equal credence to the papers on both sides. From this material history will be written, and while survivors may give their memories of events, these can only color or bring light on doubtful records. The facts

gade of infantry under Col. Bouton, making an infantry force of 11,000 men. A division of cavalry under Gen. Grierson, numbering 3,200 men, was to accompany the expedition and also eight batteries of artillery.

This force was organized under careful orders with every available resource, so that it was one of the most complete armies of its size sent into the field during the war.

Gen. Sherman (Serial No. 98, *Rebellion Records*, p. 121, line 15) telegraphing the Union Secretary of War, says: "I will order Smith and Mower to make up a force and go out and follow Forrest to the death if it cost 10,000 lives and breaks the treasury. There never will be peace in Tennessee till Forrest is dead." The same general, in a telegram to Washburn, says: "It was Gen. Grant's order, that Smith was required, after his fight, to pursue and continue to follow Forrest. He must keep after him till recalled by me or Gen. Grant."

All the resources of Gen. Sherman's department, including the garrisons on the Mississippi river and in the State of Tennessee, and in Gen. Canby's department, whose headquarters were at New Orleans, were ordered to co-operate with the great expedition intended to crush Forrest, and under the command of Gen. Andrew J. Smith, Gen. Slocum at Vicksburg made two expeditions into the interior of Mississippi (July 2—July 9). As a further diversion Canby was ordered to move a large infantry

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are potent in official record, and will have right of way. 'Memory after a long lapse of time is not always reliable.' It is easy to criticise and attack in the light of circumstances that were not known at the time.

"The facts are, that Gen. Forrest never rendered a report to me during or after the war. I never had access to these reports, till they appeared in 1892, in the official record of the war by the United States government. I left the battlefield of Harrisburg to go to the great battles around Atlanta, and amid those scenes I had no time to dwell on my campaign in Mississippi. Gen. Forrest, too, was actively engaged. The great struggle was pressing everywhere to a speedy ending. Events followed events rapidly. I reported the battle in three brief telgrams to the War Department, awaiting an opportunity to make a full official report, which opportunity never came, but Gen. Forrest received all subordinate reports and made his official report direct to department headquarters, and not through me.

"I assert that the reports of Gen. Forrest, Gen. Chalmers and Gen. Buford, and the letter of Gen. Roddey, and the other reports, will bear out my version of the battle of Harrisburg, and that no other version will bear the test of military scrutiny. I have given only the statements, or stated facts, as reported by Forrest, Chalmers, Roddey, Buford, A. J. Smith, and others, as given in their respective official reports, except, that Roddey wrote a letter, and made no official report. I make no inferences, deductions or statements of my own."

force from his department and co-operate with Admiral Farragut in taking Mobile. He was also ordered to send a cavalry raid from Baton Rogue to cut the M. & O. Railroad south of Meridian. Gen. Rosseau concentrated a force of 3,000 cavalry at Decatur, Ala., and ordered to strike the railroad at Opelika, Ala., and go towards Montgomery and Selma, Ala. Gen. Rosseau was informed by Gen. Sherman that Gen. Canby would take care of the garrison at Mobile. The cavalry in the vicinity of Memphis was so numerous that Gen. Washburn, in addition to the 3,200 cavalry with Gen. Smith, sent 1,000 more to Vicksburg by boat, to assist in drawing attention from Gen. Smith's expedition, intended to crush Forrest. Gen. Smith started with his well organized expedition from Lagrange, Tenn., on July 5th, 1864. His orders were to find and "follow Forrest to the death if it cost 10,000 lives and breaks the treasury."

On the Confederate side, Gen. Lee, as stated, had been relieved of the personal command of his troops in the field. His cavalry division had been sent to reinforce Gen. Johnston, when Gen. Polk went from Mississippi with his (Polk's) two divisions of infantry, and Lee was now in command of the department succeeding Gen. Polk. On June 22nd, Gen. Lee reported that the formidable expedition organizing under Gen. Smith was more than a raid, and that it was a well organized army to invade Mississippi, from the West Tennessee border. President Davis was now thoroughly aroused as to the danger from Memphis, Tenn. He ordered Gen. Lee to concentrate his cavalry for the protection of his own department, saying that drafts to help Gen. Johnston had already been too great from Gen. Lee's command; and that only the infantry force under Gen. Polk was authorized to aid Gen. Johnston (Serial No. 78, *Rebellion Records,* page 658). At the same time Gen. Lee (June 23) was promoted to the rank of Lieutenant General. On June 28th Gen. Lee reported that Gen. Smith was ready to move from Saulsbury, Tenn., into Mississippi. On the same date Gen. Forrest, at Tupelo, Miss., telegraphed Gen. Lee: "I am suffering from boils. If enemy should move out I desire you to take command of the forces. Our force is insufficient to meet this command. Can't you get help?" The Confederacy was at this time pressed, as it always was during the war, by the great numbers and resources of the Union armies. Mobile, which was

now in Gen. Lee's department, had only an infantry force of 2,500 men to meet any land attack. Farragut's fleet of 17 vessels was off the harbor, and Gen. Canby was ready to attack the city with a large army reported by the spies at 20,000 men, organized at New Orleans to attack Mobile for the purpose of co-operating with Farragut's fleet. This was reported by Gen. Lee July 7th, to the authorities at Richmond. Mobile was the most important point in the department, holding the entrance of the rivers leading into Alabama from the south. From the small garrison at Mobile only 600 men could be drawn temporary to reinforce the cavalry force to meet Gen. Smith—(See Maury's Telegram Serial No. 78). The enemy was making a second raid to Jackson, July 6th, to distract attention from Smith. The raid of Gen. Rosseau from Decatur, Ala., southward into Alabama, was reported ready to move also, and did move about that time.

To meet Gen. Smith, Gen. Lee could assemble only 7,500 men under Gen. Forrest, 1,500 of whom were without horses. The only addition was 600 artillery men temporarily armed as infantry, from the small Mobile garrison. Gen. Adams was watching the raid under Gen. Slocum from Vicksburg, and a small cavalry force was still in Alabama, protecting the railroads. Out of this force of 7,500, the effectives could not reach over 6,600 men, and part of this force had to be horse holders during the battle. It was intended by Gen. Lee and Gen. Forrest, to get Smith if possible to come as far south as Okolona and there fight him. Negroes were impressed and intrenchments made. The uneasiness about the safety of Mobile suggested this plan so as to be convenient to Mobile, in case it was attacked by land. Gen. Forrest (although not in good health) had remained in command of all his troops, and they were all his except the artillerymen from Mobile. He carefully arranged his troops to meet the enemy, and reported constantly their approach, which was very slow and with the utmost caution to prevent surprise. Smith was determined not to be caught as Sturgis had been, and doubled up and defeated before he could form a good line of battle. From the start Forrest's advanced pickets had skirmished slowly from Ripley southward to Pontotoc. Smith arrived north of that place on July 10th. Here he was in line of battle a mile long, his flank and rear most carefully guarded against surprise.

On July 11th and 12th he pressed beyond Pontotoc on the Okolona road 9 miles, but was met and driven back, and he gave up any further attempt to move southward. Gen. Forrest, in his report, says: "The delay of the enemy at Pontotoc produced the impression that he designed to fall back toward Memphis, and after a short consultation, it was determined to accept battle wherever he offered it and to attack him if he attempted to retreat." With this understanding Gen. Lee ordered everything moved to the front. The weather was excessively warm, and Forrest's dismounted cavalry made slow and painful marches from Okolona, first towards Pontotoc and then to Tupelo, so that when the battle was fought, after the long march, these troops arrived only about 800 strong on the field, and that after the battle.

On the 13th of July, much to the surprise of Generals Lee and Forrest, Gen. Smith, after meeting with but slight resistance in his advance towards Okolona, gave up any further effort in that direction, and moved his whole force suddenly and rapidly towards Tupelo, due east from Pontotoc 18 miles. As decided on by Generals Lee and Forrest, he was at once attacked in the rear by Gen. Forrest, with Mabry's brigade, Forrest's old regiment and his escort company—while Gen. Lee directed Generals Chalmers and Buford to move from their positions on the Pontotoc road, and strike the enemy to the north on the road to Tupelo.

Gen. Chalmers with one brigade (Rucker's) struck the flank of the enemy, 8 miles west of Tupelo at Bartram's shop, and for a time had possession of his train. But the enemy's infantry rallied and forced back Gen. Rucker, after he had destroyed some wagons and killed some mules. Gen. Forrest soon joined Gen. Chalmers from the enemy's rear. Gen. Buford attacked the enemy nearer Tupelo with Bell's brigade,—on his flank while marching. After an hour's engagement the enemy drove back this portion of Buford's command. At 9 p. m. Gen. Forrest had all his command united two miles from Harrisburg, at the intersection of the Harrisburg and Verona and Pontotoc and Tupelo roads—the enemy being in his immediate front at Harrisburg.

The enemy, on reaching Harrisburg near Tupelo, faced about and formed a double line of battle facing west, or in the direction of Pontotoc, with a front of two brigades. The 1st division of the 16th army corps (Gen. Mower) had its left on the Pontotoc road,

the 3rd division, 16th army corps (Col. Moore) had its right on the left of the 1st division. The brigade of negro infantry was in the rear of the 3rd division, facing the left flank. The cavalry division under Gen. Grierson was in the rear, protecting the train and the right flank. The artillery (8 batteries) was divided between the two divisions of infantry and cavalry. After daylight on the morning of the 14th, the line of battle was moved forward some distance. (See report of Gen. Mower, Col. Murray, and Col. Bouton.)

In accordance with the understanding to accept battle wherever the enemy offered it, and when it was found he would not advance farther south, Gen. Forrest, after reconnoitering the position of the enemy during the night, arranged his troops for battle about daylight on the 14th of July. All the troops present were in his immediate command. The dismounted troops (about 800) had not yet arrived on the field. The line of battle was arranged as follows: Roddey's division of Alabamians was placed on the extreme right with Hudson's battery of artillery. Mabry's brigade, which had been drawn from the vicinity of Jackson, Miss., to reinforce Gen. Forrest, was on the extreme left, while Buford's division was in the center, the left of Crossland's Kentucky brigade resting on the Pontotoc road, with Bell's Tennessee brigade immediately in the rear of Mabry's brigade; but this brigade was afterwards put between Crossland's and Mabry's brigades, making the right of Bell's brigade rest on the Pontotoc road; Morton's, Rice's and Thrall's batteries being in good position to take part in the attack. Chalmer's division of the three brigades of Neely, McCullough and Rucker, and the dismounted men as they arrived, were to form the second line or reserve for the entire line of battle, with two batteries of artillery. The entire command was dismounted for battle. Leaving out the horse holders the Confederate force did not exceed 6,000 or 6,500 men, as against 15,000 of the enemy, mostly veteran infantry.

The order of battle was given by Gen. Lee for Buford and Mabry to make a front attack, as the left and center of the enemy was covered by these commands, while Gen. Forrest at the same time was to swing Roddey's division around on the enemy's left and press it back. A signal gun was to be fired on the Pontotoc road between Bell and Crossland as the order for a general and

simultaneous advance to attack the enemy. Every precaution was taken to accomplish this general movement. Both Gen. Lee and Gen. Forrest understood the desperate venture. They knew no reinforcement could be had, as all the armies of the Confederacy were facing superior numbers and resources, and everywhere Confederate armies at this stage of the war had to fight against great odds or not fight at all. On this occasion not to fight would have been to have given up the great corn region of Mississippi, the main support of other armies facing the enemy on more important fields. Whatever others may say, Gen. Lee and Gen. Forrest were in perfect accord as to delivering battle, and Gen. Forrest personally never shrank from this responsibility before or after the bloody battle.

The battle was really precipitated before it was intended, by the arrival of two reliable scouts, who reported that the enemy were evidently preparing to retreat from Tupelo northward towards Memphis on the Ellistown road. Forrest was prepared to believe this, as he states in his report: "The delay of the enemy at Pontotoc produced the impression that he designed to fall back towards Memphis." He felt and believed all that could be done, was to fight Smith and risk the results. He advised immediate attack; his blood was up; the fire of battle was in his eye. He said that if he was in command, he would not hesitate a moment, that his scouts reported the enemy preparing to retreat on the Ripley road, (as they did the next day). Gen. Lee ordered the attack and said: "If it is to be a fight, let us fight to the bitter end, the troops are yours, select which wing you will command in person, and I will take the other." Forrest took the right wing, which was to swing around the enemy's flank. Lee took the left wing for the front attack to be made on Mower's division, and the right of Moore's division, which was covered by Buford's Kentucky brigade on the right of the Pontotoc road.

At the signal agreed on Gen. Lee ordered the left wing to attack. Never did troops move with greater gallantry and impetuousity; gradually they advanced to the front driving the skirmishers of the enemy, until within 50 yards of their line, where the fire of the enemy was so severe that they lay on the ground, fighting desperately for nearly three hours. The Kentucky brigade on the right of the Pontotoc road had been cautioned to move

surely and steadily, but it was impossible to restrain the ardor of the men, and they charged forward for nearly the entire distance. Being ahead of the troops on the right and left they drew on themselves the concentrated fire of both wings of the enemy, and after unsurpassed gallantry, some of the men falling within the lines of the enemy, they were driven back with great slaughter. Gen. Lee ordered Chalmer's division to form on the left. He found that Chalmers had received conflicting orders. Chalmers says: "As soon as they became well engaged, I was ordered (by Gen. Lee) to advance, and while moving, received three different orders. From Gen. Forrest I received an order to move to the right and support Gen. Roddey. From Gen. Lee, to move to the left and support Gen. Mabry. And from Gen. Buford, an order stating that I could by direction of Gen. Lee, relieve him on the center. Major Gen. Forrest being my immediate superior, I obeyed his order and moved to the right, but before I had reached the desired position, another order from Gen. Lee, in person, divided my command, leaving McCullough's brigade in reserve, and moving Rucker's brigade to the left, to charge at double quick with a shout." Neely's brigade was sent to Forrest. Rucker's brigade, after considerable delay, caused by the conflicting orders Gen. Chalmers received and his movement to the left in obeying Gen. Forrest's order, was put on the left of Mabry and Bell, who were still holding their positions and fighting desperately. The brigade was led by both Chalmers and Rucker, but arrived too late to do much good, as the ammunition of Bell and Mabry was about exhausted, and they had met with severe losses. If any troops could have carried the lines in front of them, these brave men would have done it.

In all that has been described Gen. Lee was most intently engaged with the details of the death struggle in his immediate presence and front, but he noticed a concentrated fire of artillery and infantry on the brave troops immediately under his command, Bell, Mabry and Rucker's brigades, from the artillery and infantry in the left wing of the enemy. (See reports of Crossland and reports of Federal officers in left division). The enemy's artillery in his front (Lee's) had been silenced or driven off, owing to the close proximity of our men. The enemy's left wing then seeming to be, as in fact it was not, engaged by any Confederate

troops in its front, Gen. Lee moved to the right, to see what was the cause. He soon met Gen. Forrest, and said to him: "Why did you not carry out the plan of attack?" Forrest replied: "Buford's right had been rashly thrown forward and repulsed. In the exercise of my discretion I did not move Roddey forward, but I have moved him to the left, and formed a new line." Gen. Lee said: "In doing as you did, you failed to carry out the plan of battle agreed on." Gen. Lee replied it was too late then to remedy the matter and he ordered the three brigades of Bell, Mabry and Rucker to withdraw. Under the cover of McCullough's brigade of Chalmer's division, these heroes withdrew in order from, in proportion to the number actually engaged in their immediate front, perhaps the bloodiest field of the war. The enemy did not pursue and did not leave their line of battle. The writer wants to say here that he was on many battlefields during the four years, but he never saw greater gallantry or tenacity of purpose shown, than was shown by the troops of the brigades of Rucker, Mabry, Bell and Crossland, and the batteries of Rice, Morton, and Thrall. He will always esteem it an honor, to have personally commanded such heroes.

As to the change in the plan of battle by Gen. Forrest, he says in his report:

"Lieutenant General Lee gave the order to advance and directed us to swing the right around upon the enemy's left. I immediately repaired to Gen. Roddey's right, with all possible speed, which was nearly a mile distant, and after giving him the necessary orders in person, I dashed across the field in a gallop for the purpose of selecting a position in which to place his troops (See Roddey's letter), but on reaching the front I found the Kentucky brigade had been rashly precipitated forward and were retiring under the murderous fire concentrated upon them. I seized their colors and after a short appeal, ordered them to form a new line, where they held their position. The terrific fire which was poured upon the gallant Kentucky brigade, showed that the enemy were supported by overwhelming numbers in an impregnable position. Wishing to save my troops from the unprofitable slaughter I knew would follow any attempt to charge his works, I did not push forward Gen. Roddey's command when it arrived, knowing it would receive the same concentrated fire which had repulsed the Kentucky brigade. I ordered forward four pieces of artillery and formed a new line on the Tupelo and Verona road. Meantime the troops on my left were hotly engaged, and Mabry's, Bell's, and Rucker's brigades were steadily advancing."

Gen. Roddey never made an official report of this battle, but in a letter Gen. Lee has, he says:

"My remembrance of the battle of Harrisburg is substantially, that I was ordered by Gen. Forrest to swing the troops under my command around on

the enemy's left, covering the railroad south of his position, and to advance to the attack. The movement was executed so far that the troops were in line facing the enemy's left and had sufficiently advanced to drive his skirmish lines on his main force (compare with Forrest's report), when Gen. Forrest overtook us, and ordered an immediate retreat to the place where the horses were left, saying at the same time, that Buford was badly cut up, and his only reliance for the protection of his stores, lay in keeping my troops in position to keep the enemy from capturing them, adding, as I remember, that he had no other troops he could spare or rely upon for such purposes."

Gen. Roddy really got in place in full time, and the negro skirmishers on the extreme left of the Union line were driven in before the Kentuckians made their charge. Gen. Smith says:

"On morning of the 14th the battle opened by the enemy attempting to secure a commanding position on our left. Advancing the third brigade of the third division into line with the remainder of the division and throwing out the brigade of colored troops on the left of the third, but facing nearly to its left flang, we easily drove the enemy from the hill and retained possession of it during the entire battle.....At about 7.30 a. m. the enemy advanced in line upon the right of the third division, near the Pontotoc road."

There was no fighting on the enemy's extreme left in the morning, except as described by Roddey—and agrees with Gen. Smith's report. We see, too, that Roddey had secured a commanding position, an important hill on the field and had to give it up.

About noon, soon after the withdrawal of the right wing, Gen. Lee ordered Forrest to form a new line of battle near Mrs. Sample's house. This line was strengthened and the enemy invited by demonstration to attack, but he did not move out of his own chosen position. At night the enemy began burning all the houses at and near Harrisburg, showing preparation for retreat or movement in some direction. He was shelled by artillery during the burning. Gen. Forrest with Rucker's brigade mounted moved cautiously to the extreme left of the enemy, approached very near, and about 10 p. m. opened fire on them. In reply, a very loud and most continued infantry fire was provoked, but it overshot Forrest and little or no damage was done. At the same time Buford's division being moved occupied the road between the enemy and Verona, to oppose any advance in that direction.

On the morning of July 15th the enemy made no movement apparently in any direction. Gen. Buford was ordered to move up towards Tupelo, and attack the enemy; Gen. Chalmers with a

mounted brigade of his division was ordered to move to the enemy's right and see what he was about, while Gen. Roddey was moved towards Harrisburg to attack the enemy. After severe skirmishing by Gen. Chalmers, he drove the enemy back until he could see the Ellisville and Tupelo road. At 12 o'clock he saw the enemy in retreat on the road and reported the fact to Gen. Lee. At once all the commands closed on Tupelo, and began pressing the enemy. At Harrisburg Gen. Lee and Gen. Forrest met, and Lee ordered Forrest to take immediate charge and pursue and harrass the enemy with his entire command. The retreat of the enemy began at 10 o'clock on July 15th, (Col. David Moore commanding 3rd division 16th army corps).

The retreat was with the same extreme caution and vigilance that had marked the advance of the enemy and his defensive battle. Gen. Buford came up with the rear of the enemy, going into camp at Old Town Creek, 5 miles from Tupelo, and with Rice's battery and one thousand men, attacked the rear guard, and shelled their camp. He stampeded the enemy's cavalry and train, as shown by reports of Gen. Mower and Col. McMillan (Union officers) in their official reports. But several brigades of infantry soon recrossed the creek and drove Buford back. In meantime Gen. Forrest had arrived and in the engagement was wounded. He ordered Gen. Chalmers, who had just arrived with McCullough's brigade, to withdraw the troops. Gen. Forrest sent word to General Lee of his wound, and the necessity of his relinquishing the command. Gen. Lee at once galloped to the front, assumed command, and ordered the troops not to withdraw. Gen. Chalmers says:

"At the same time that I received this information I received orders from Gen. Forrest to assume command and withdraw the troops, as he was wounded. I returned at once to the rear and found our men falling back, and the enemy pressing up to the position on which I had left my brigade, and Col. McCullough severely wounded. I sent orders to Gen. Buford at once to form his men, and received an answer that he could not form. On repeating my order I was told that he had formed three companies. I drew McCullough's brigade back about 400 yards in line mounted. We waited about one hour to see if the enemy would advance. As he did not, I ordered the brigade back to its camp in accordance with instructions I had received to withdraw the troops, and went in person in search of Lieutenant Gen. Lee. I found him striving to rally Gen. Buford's division and determined not to withdraw. Gen. Buford was ordered to picket the position, which we then held and I was ordered to relieve him at 3 o'clock next morning.....Gen. Chalmers pursued the enemy two days."

Gen. Chalmers in his report says:

"I cannot close this report without mentioning the robbing and desolation which attended the march of the invading army. Not only were non-combatant citizens maltreatetd, their houses rifled of clothing, money and other valuables, besides the theft of every pound of bacon and every ounce of meal, but the same course of rapine and cruelty was shown towards unprotected widows and orphans, who were stripped of their all, and in many cases turned out of doors, with nothing left save the wearing apparel on their persons. Cows and calves were killed from mere wantonness, and left in private yards and on public thoroughfares."

The action at Town Creek about ended the battle of Harrisburg, or Tupelo. For the numbers engaged it was one of the bloodiest battles of the war. The Confederates lost 210 killed and 1,116 wounded, making a total of 1,326 killed and wounded. The enemy lost 674 killed, wounded and missing; total on both sides, 2,000 men. The loss to Confederates in valuable field officers was fearful. Three brigade commanders were wounded, Rucker, McCullough and Crossland. Col. Isham Harrison and Lieutenant Colonel T. M. Nelson of the 6th Mississippi were killed, also Lieutenant Colonel J. B. Cage, 14th Tennessee; Lieutenant Colonel Sherrill, 7th Kentucky, and Major Robert McKay, 38th Mississippi, and many others were wounded. The loss of company officers was in like proportion in killed and wounded. Buford's division, including Marby's brigade with Bell and Crossland lost 996 men, killed, wounded and missing, over 40 per cent of those engaged, Bell losing 400, Crossland 306 out of 800 engaged, Marby 291. The 38th Mississippi, commanded by Col. J. H. Jones, went into action with 300 men. Every field and line officer except one was killed or wounded, and only 44 men out of the 300 escaped unharmed.

The enemy left the field and his wounded behind him, and the telegrams and reports show that the expedition did not accomplish what was expected. Gen. Smith did not do, after his fight, as he was required by Sherman,—"persevere and continue to follow Forrest," but from Pontotoc seemed to have but one idea: viz., to stand on the defensive and get away from him. He never left his lines, but was always on the defensive. His first dispatch, July 18th, says: "We met Lee and Walker (Forrest) at Tupelo, and whipped them badly on three different days. * * * I bring back everything in good order, and nothing lost." He reports no tro-

phies of victory, no guns, only 60 prisoners (no doubt wounded Confederates). He was met by an order from Gen. Sherman to Gen. Washburn (July 20th): "Order Smith to pursue and keep after Forrest all the time," and another: "It was Gen. Grant's special order, that Gen. Smith was required after his fight to pursue and continue to follow Forrest." These telegrams tell the tale, and show Gen. Smith's superiors were greatly disappointed in the results, and reflected on him. He had a splendid army of veteran infantry. The only time Gen. Grierson gave Smith's cavalry a chance was at Town Creek, when one of Grierson's brigades was stampeded by Gen. Buford with only 1,000 men.

If ever a commander had a good opportunity to move out of his lines and pursue Forrest, Gen. Smith had on this occasion, after the withdrawal of the Confederate left wing. But the dead Confederates on his lines and at thirty paces from his guns inspired him with prudence and caution even after his claimed success. He claimed his enemy lost 1,800 men, and he only 674; certainly he was still strong enough, and the enemy much weaker than before, as he saw it on the field. Smith claimed also he was out of rations and had only 100 rounds per gun for his artillery. He was ordered to take 20 days rations, and they gave out in ten days; 100 rounds to a gun would have fought another battle. He certainly was very long preparing for his expedition and he could have seen that he had no spoiled bread. He was also in a corn region and his troops killed, wantonly, enough cattle to have furnished beef for his command.

On the Confederate side blunders and mistakes complicated matters. The troops were all of Forrest's command, and he should have had supreme command, but he insisted on Gen. Lee's, the department commander, assuming the responsibility and being present. Forrest had just won his splendid victory at Brice's Cross Roads over Gen. Sturgis, and his troops had confidence in him. Gen. Lee used this argument to insist on his commanding on the field, but he said no; that the responsibility was too great, and that his superior in rank should assume and exercise the command; that he considered the Confederate troops inadequate to defeat Smith. He also said his health was not good and Gen. Lee must take charge. The first unfortunate circumstance was the precipitate charge of the Kentuckians; they drew on

themselves the fire of both wings of the Union army before the troops on right and left of them were up. While the conflict was raging on the left wing, Gen. Forrest changed the plan of battle by withdrawing Roddey and forming a new line with Roddey, the dismounted men, and Neely's brigade. This caused all the artillery in the Federal third division, several batteries in all, and most of the infantry, to fire continuously into the flank of the brigades of the Confederate left wing. Col. Murray, of the 89th Indiana, commanding the 1st brigade, 3rd division on Mower's left, his right resting on the Pontotoc road, says:

"Enemy formed several lines on right of Pontotoc road, directly in front of Mower's left brigade. The entire artillery of my line (12 guns), with 122 Ill's (regiment) occupying my right, opened up and continued most of the time of the action a murderous cross fire on the enemy in that wood field and contributed very much to the glorious results of the day, in driving back and repulsing the enemy from their position."

The right wing of the Federals was also reinforced by troops sent from their left wing when Rucker became engaged.

THE CLINTON RIOT.[1]

By Charles Hillman Brough.[2]

1875, the second year of the administration of Adelbert Ames as the Carpet-bag Charlatan of a mongrel governmental mixture, was made notorious by the outbreak of race wars over the State, in which freedmen were arrayed against freemen and aliens strove to expatriate native-born, home-loving citizens. Among these disturbances, denominated "riots" by the newspapers of the day, the most notable were those which occurred at Vicksburg on July 4th, at Clinton on September 4th, at Friars Point on October 9th, and at Rolling Fork in December, 1875. Perhaps the most important of these, and certainly the most tragic, was that which broke the vacation stillness of the little college town of Clinton on the September Saturday which had been set apart for an old fashioned political barbecue and joint discussion of the issues of the day.

In order to understand full the significance of the Clinton riot it is necessary to notice the political events which preceded it and made such a riot possible. The carpet-bag administration of Ames, with its mongrelism, ignorance and depravity thoroughly entrenched behind the armed and organized cohorts of the recently emancipated slaves had become continually bolder and more arrogant in its demands until in 1874 taxation was rapidly bordering on confiscation. As a result tax-payers' leagues were organ-

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[1] The writer acknowledges his indebtedness to Mrs. Adelia M. Hillman, Judge E. W. Cabiniss, President W. S. Webb, Captain W. H. Lewis, Mr. John Neal, Professor T. H. Eager, Mr. John Abou, and W. M. Turner, colored, of Clinton; to Col. R. J. Harding, Captain Frank Johnston, Mr. Ramsay Wharton, Mr. Frank Neal, Mr. J. L. Roberts and Calvin Wells, Esq., of Jackson; to Dr. A. O. Hardenstein, Dr. K. O'Leary and S. M. Shelton, Esq., of Vicksburg, and to Captain W. T. Ratliff and Major Harper, of Raymond for the data on which this paper is based. He also consulted Boutwell's *Report*, p. 295; Campaign Document Number 2, published by the Democratic-Conservative Executive Committee; Garner's *Reconstruction in Mississippi*, pp. 378-79, and Riley's *History of Mississippi*, p. 317.

[2] A biographical sketch of the writer of this article will be found in the *Publications of the Mississippi Historical Society*, Vol. III., p. 317.—Editor.

ized throughout the State—to Captain W. T. Ratliff is due the honor of organizing the first league in Hinds county in a little school house in the suburbs of the town of Edwards. However, the petitions of the tax-payers were insolently ignored by the Legislature, and men who had bravely stood on the "perilous edge of battle" a few years before were brought face to face with the problem of home rule.

In July, 1875, a meeting was held in Raymond, the county seat of Hinds county, to select a County Democratic Executive Committee and call a County Convention to nominate candidates for office. The committee worked energetically and by the time the convention met in August the county had been thoroughly organized by forming Democratic clubs in every precinct. The day the convention met a mass-meeting and barbecue were held at Raymond, and clubs of men wearing the expression of stern resolve to do or die rode in on horse back with bands playing and banners flying. From the date of this meeting the campaign in Hinds county really began. The Ames government realized that it meant a fight to the death and that the life of the Republican organization in Mississippi depended upon the issue of the campaign. The Democrats realized that defeat meant confiscation, insult to women, another long period of subjection to ex-slaves, and possibly riot and bloodshed with United States troops garrisoned in every town and village. The white people felt that they could easily handle Ames and his negro allies, but feared that the presence of Federal troops would throttle all plans for home-rule. It was, therefore, the aim of the Republicans to bring about such a condition of affairs as would compel President Grant to send troops to Mississippi—indeed, in the early part of the canvass Gov. Ames is reported to have said that the blood of a few negroes would save the Republican party in Mississippi. The first step of the Ames cohorts in the campaign was to issue a challenge for joint debates at various places in the State, the Democratic speaker to open and the Republican speaker to close. The challenge was accepted and, accordingly, barbecues were arranged at Utica and Clinton, in Hinds county, and Vernon, in Madison county, on the same day, Saturday, September 4th. For weeks the grand rally and barbecue at Clinton had been publicly announced all over the county, and inasmuch as it was currently reported

that the meeting would be addressed by Gov. Ames, it was expected that the main body of the whites would go over to Clinton and that there being only a small number at Utica the riot would be precipitated there. The Democratic Executive Committee acted quickly and dispatched messengers over the county, directing the clubs in the western part of the county to go to Utica, and those in the eastern part to go to Clinton. In this connection, Mr. T. N. Shelton, of Vicksburg, who was at that time a member of the Executive Committee, writes:

"We knew if we could secure the attendance of a large body of white men at both places, we would over-awe the negroes and at the same time avoid a collision, but we feared that if only a small body was in attendance a riot would be precipitated, because we knew that all the negroes would go there armed. So thoroughly convinced were we that the plan was to make the hostile demonstration at Utica that the western clubs turned out in full, and we easily captured a body of negroes, numbering over 1,000 many of whom had come from Copiah and Claiborne counties without a harsh word being spoken or a shot fired, and stationing guards conveniently to watch them, kept them together for several hours listening to Democratic speeches and applauding Democratic doctrines, and then gave them a dinner and sent them home happy."

Although the riot at Clinton was in a sense an accident, it was the eternal fitness of things that it should have occurred at the home of Charles Caldwell, one of the most daring and desperate negroes of his day, a slayer of two white men, at that time State Senator from Hinds, the dominant factor in local Republican politics, the county Warwick of the Ames administration and the dispenser of carpet-bag patronage, and also the home of Eugene Welborne, a mulatto member of the House and a notorious character. Be it said to the credit of Caldwell that at that time he was in bad odor with the more radical element in his party, because of his natural hatred of the "Yankee" and his liberal policy in securing the appointment of whites rather than negroes to office, and further, that he executed his immense personal influence with the negroes to prevent the riot. However, opposition to Caldwell and his conservative policy was strongly manifested in the councils of the "Loyal League," organized primarily to throttle white supremacy and foster negro rule, and there is little doubt but that the enemies of Caldwell in his own party, led by Welborne, relished the idea of a race conflict as a means of compacting the negroes and giving them control of the party

machinery. Certain it is that secret orders were given the members of the "Loyal League" to prepare for any possible disturbance on the day of the barbecue, and that the 1,200 negroes who attended from all parts of the county were well armed with clubs and pistols.

"Moss Hill," situated a quarter of a mile northwest of the Clinton depot, on the left hand side and a few hundred yards back of the road leading from Clinton to Livingston, elevated, well watered and shaded, the beautiful ante-bellum house of Chancellor Robert Buckner, later, of Col. William Smith, and at that time owned by Dr. Walter Hillman, was selected as the place for the barbecue. Gov. Ames, although advertised as the leading speaker, did not attend, so Judge Amos R. Johnston, a brilliant Democratic lawyer of Jackson and Captain H. T. Fisher, editor of the Jackson *Daily Pilot*, the State paper and leading Republican organ, were chosen as the representatives of their respective parties. The local celebrity of the orators, the fondness of negroes for political excitement, especially when served with a free lunch and an election for a member of the Board of Supervisors attracted an immense crowd from the surrounding country, and the modest college town wore a gala attire.

Organizing in some mysterious way among themselves a cavalry troop of fully a thousand, the negroes paraded the streets of Clinton from nine o'clock in the morning until time to assemble at the barbecue grounds. Their horses were trimmed fantastically and patriotically in red, white and blue ribbon, in some instances there being more ribbon than horse. "Old Glory," mounted on a tall flag staff proudly floated in the public square. At the head of the column rode Oliver Cromwell, who at least resembled his illustrious Puritanical predecessor in "praying to the Lord and keeping his powder dry," and Elder W. H. Davis, of the negro Baptist church at Edwards, wearing a waving plume in his stove-pipe hat and a cavalry sabre dangling at his side. This procession, composed of a negro club from Bolton 398 strong, a larger club from Edwards, and some negroes from Clinton, marched in solid phalanx to the speaker's stand, shouting "Down with the Democrats," "What do they call this place?—

we can clean it out by ourselves," "I'd like to see a Democrat" and other whoops which presaged trouble.

About half past twelve the crowd had assembled at the barbecue grounds, all negroes save possibly 75 whites. Among the latter were: Capt. B. S. White, Major G. W. Harper, Dr. H. T. Dupree, Dr. W. A. Bracey, W. Calvin Wells, Baker Sively, A. H. Sivley, Martin Sivley, A. V. Shearer, W. T. Asquith, Ramsey Wharton, F. T. S. Thompson, Sam D. Harper, Vink Waddell, W. H. Sims, H. Casper, Frank Robinson and H. A. Huntley from Raymond; D. W. Rice, John C. Neal, Dr. W. E. Todd, John Todd, T. G. Rice, Captain W. H. Lewis, G. M. Lewis, Morris Ward, H. C. Marshall and Frank Guiol from Clinton, and Dr. W. S. West from the neighborhood. Fully three hundred of the negroes were armed with pistols, while not more than fifteen of the white men present participated in the fighting. After all had dismounted, Judge Johnston began the debate in a very conciliatory way, but while he was speaking the negroes were boisterous and restless, apparently angry because he was allowed to speak at all. "Damn it, what do we want to hear a Democratic speech for?" "I did not come here to hear any such damned stuff as that; I want him to get down from there; I want to hear Fisher speak and put him out," were expressions which illustrated the temper of the negro auditors. About 1.30 o'clock Judge Johnston concluded his address and Captain Fisher had been speaking for twenty or thirty minutes when a disturbance arose about seventy-five yards distant from the speaker's stand and north of it in a little glen surrounded by underbrush and concealed from view. The inception of the quarrel is enveloped in mystery, one of the explanations being that some negro policemen patroling the grounds attempted to arrest a party of young men from Raymond for drinking, another being that a personal difficulty beween one of the men from Raymond and a negro was the immediate cause. Immediately orders were given by the negroes to "rally;" the snare drums began to beat a rapid and continual roll; the cry of "Kill the white men" was raised, and the woods fairly swarmed with negroes, armed with pistols and knives and brandishing clubs. The little band of whites, eleven in number, retreated about forty yards along a branch, asking the negroes to stand back and keep the peace, and saying they desired no dif-

ficulty. The negroes in their feint pressed on, crying, "Run over the whites; kill the damned whites; run over them; God damn them; run over them." After retreating this distance, another crowd of negroes came down on them from an opposite direction, even Charles Caldwell being unable to stop the mad rush of his frenzied followers. "We did not come here to let no God damned white trash run over us; this is our day," and "the ravens will not fly far to-day; we will clip their wings when they rise" seemed to be the negroes' shibboleth. In the melee Louis Hargrove, a big, blustering negro policeman from Dry Grove, shot and desperately wounded Frank Thompson, one of the Raymond party, and Thompson returned the fire shooting Hargrove in his left temple, instantly killing him. The fusilade was furious, but before the smoke cleared away the negroes began to break, tumbling over one another as they ran, and thus made it possible for the whites to reach the little band defending itself against such heavy odds. An investigation showed that two negroes were killed outright and five desperately wounded, while among the whites John Neal was shot in the breast, the ball passing entirely through his body; W. T. Asquith was shot in the back and shoulders, a dozen or more irregular slugs having afterwards been extracted from his body; Ramsey Wharton was badly beaten about the head; Frank Thompson was shot through the thigh; and Dr. W. E. Todd was slightly wounded. In the haste of their retreat the negroes did not fail to take with them their wounded and run by the barbecue pits and carry off all the provisions they could find, this incident reminding one forcibly of the vandalism of the barbarians at the sack of Rome. It is related that Captain Fisher, the carpet-bag orator of the day, laid down under the speaker's stand while the riot was in progress and afterwards left in such haste that he forgot his hat, actually beating a passing freight train into Jackson by running the whole ten miles on the cannon ball schedule.

Although most of the negroes were panic stricken, the situation of the few white men before the arrival of the troops was desperate. Some had no arms at all, and none were prepared for a pitched battle against overwhelming odds. Soon after the shooting in the hollow, the whites left the grounds in small parties, separate crowds of negroes pursuing in different directions.

When within forty or fifty feet of the Livingston road and about 300 yards distant from the A. & V. Railroad crossing, one of these parties of whites, without a load left in their pistols, was met by a line of armed negroes, with drawn weapons, headed by Charles Caldwell, Jr., and Walter Welbourne, brother of Eugene Welbourne. They at once demanded the surrender of Martin Sivley, of Raymond, toward whom they showed unrelenting hatred, for Sivley had attended Mississippi College as a boy and had more than once had trouble with these two young negroes. After some parleying during which time the negroes kept their weapons drawn on the whites, they told Sively if he would give up his pistols they would do him no harm. Believing there was no other alternative, Sivley handed his pistol to a negro, holding it by the barrel and presenting the handle; as Charles Caldwell, Jr., took the pistol, Walter Welbourne knocked Sivley down with his pistol, Captain White says breaking the pistol by the blow. Staggering to his feet, the blood streaming down his face, and suffering from three wounds, Sivley ran across a road toward a cotton field, the negroes pursuing and shooting him as he went. Reaching a rail fence that surrounded the field back and north of the A. & V. depot he attempted to climb it but was beaten back. At length he managed to get over being followed by Sam Caldwell, Charles Caldwell, Jr., and Walter Welbourne, struck by a negro from behind and his head beaten into a jelly with fence rails by the cowardly brutes. In the meantime, Captain B. S. White, the leader of the Raymond party, who was with Martin Sivley when he was pursued, was overtaken at the railroad crossing by another squad of negroes, stabbed in the back, cut about the head, stamped and kicked, thrown into a ditch and left for dead. They would doubtless have mutilated Captain White's son who pleaded for his father's life, as they threatened to take him upon the hill in the woods and cut him up, had not their attention at that time been attracted to Calvin Wells coming in his buggy. A negro seized Mr. Wells' horse by the bridle, and he would have shared the same fate as Sivley and Sterling Price but for the timely appearance of Capt. [now Colonel] W. A. Montgomery, who came to his relief with a double-barrel shotgun, firing both barrels loaded with birdshot at the retreating negroes. Mr. Frank Thompson, who was the first white man to receive a wound in the riot, became

separated from the Raymond party, tried to make good his escape in the direction of Bolton, but falling from his horse through sheer loss of blood he was discovered by some brutal negroes who shot him down, disemboweled him, cut off his finger to procure a valuable ring, and ran an iron ramrod through his head. This atrocity occurred about a mile from town at the carriage gate of Mrs. Hillman's plantation, and suspicion strongly points to Eugene and Walter Welbourne as the authors of the crime. On the hill northeast of the spot where the difficulty first originated lived Mr. Charles Norton Chilton, a quiet, useful and peaceable citizen, and a man of prominence. Hearing the shots he went into his yard and was opening his lawn gate, calling negro women and children into his ground for their protection, when he was shot in the back and instantly killed by an unknown negro riding by on a mouse-colored mule. The size of the ball penetrating Mr. Chilton indicated that either a Winchester rifle or a Colt's Henry pistol was the weapon used. A party of three white men, Captain W. H. Lewis, G. B. Lewis and D. W. Rice, all without a grain of ammunition, were pursued by six well armed negroes across the railroad crossing and were compelled to hide in a pea field until the train come from Vicksburg bringing reinforcements. As it was Mr. Rice was shot in the hand, while on horseback, by Eugene Welbourne, but succeeded in keeping his assailants at bay with an empty pistol.

When the telegram sent by Judge E. W. Cabiniss announcing the riot reached Vicksburg, the regular eastbound passenger train had left. Upon its arrival at Edwards, the negroes gathered *en masse* and endeavored to prevent the whites from boarding the train, but a posse of twelve or fifteen determined citizens from Edwards and about the same number from Bolton, led by Colonel R. J. Harding, the present sheriff of Hinds county and a gallant ex-Confederate soldier, succeeded in boarding the train, and reached Jackson soon after the first shot was fired, obstructions placed on the track by negroes, who were hiding in thickets all along the way with their guns pointed at the train, prevented the car load of Jackson citizens under command of Mr. William Fitzgerald and Captain Frank Johnston, Mississippi's brilliant ex-Attorney General, from reaching the scene of action until night-

fall. Still later, between seven and eight o'clock that night, Captain Andrews and Captain Kinney, formerly of the Federal army, arrived on a special train from Vicksburg, bringing with them a company dubbed the "Vicksburg Modocs," who soon put the country-side in fear, asking no questions and submitting to no commands. A partial muster of this company which did such valiant and vigorous work for the protection of life and property is as follows: Dr. R. O'Leary, Dr. A. O. Hardenstein, Captain P. W. Shearer, George Rector, Samuel Hanly, James P. Roach, L. A. A. Prescott, Captain Gunning, Ed. Miller, Tom Cooper, Jack Groome, Frank Broughton, William Price, T. C. Hayes, Eugene Platt, Lem Clark and Douglas Clark. When within two miles of Clinton, fearing an ambuscade and train obstructions, Conductor Charles Borchet, in charge of the special, got on with a lantern under his coat and advanced 300 yards ahead of the train, and thus, almost creeping, the company reached Clinton in safety. Upon the arrival of the special Conductor Borchet was asked to take the train to Jackson for more volunteers, who were eager to reach the scene of action, and picking Dr. O'Leary and forty others as a bodyguard, the conductor made the return to Jackson and returned successfully. One and a half miles east of Clinton this party was fired into, but the only damage done was the perforations of the tender of the engine in two places. Major Allen, commandant of the Federal post at Jackson, accompanied by Lieuts. Mahan and Brown, had driven through the country that afternoon to ascertain the cause and extent of the race war which had assumed such alarming proportions. Major Allen proved to be an affable gentleman, fully aware of the irresponsible character of ambitious negro leaders, and fairly inquired into the circumstances of the riot and the authority of those in command. To Captain Ratliff and Judge Cabiniss is due the credit for securing Major Allen's coöperation with the citizens.

An arrangement was made with the citizen soldiery, now fully 200 strong, that if they would stop the killing of the negroes, the United States officers would not assume command but leave matters in charge of the civil authorities. Therefore, upon request of the citizens of Clinton and by virtue of the commission given him by its mayor, Col. J. B. Greaves, Colonel Harding be-

came military governor "with consular powers." Captain H. W. Montgomery was placed in charge of the mounted men. That the Federal officers and the citizen soldiery were in thorough accord as to the necessity of defending the town against further negro depredations may be seen from a little incident which occurred the morning after the riot. When Mrs. Hillman escorted the army officers to the dining room for breakfast, the Southern citizens, partaking of the hospitality, arose, saluted and loudly cheered until the whole building resounded with their tokens of good will.

No accurate estimate has been made, or can be made, of the number of negroes killed after the arrival of the troops; suffice it to say, that a mild reign of terror existed in the community for several days subsequent to the riot, because everyone feared that the negroes would burn the town and massacre men, women and children. The number is variously put at from ten to fifty, but the grand jury of Hinds county, after making a thorough investigation and examining over a hundred witnesses, reported that even the approximate number could not be determined. Louis Hargrove, Simon Jackson, Galilee Brown, Robert Beasley, Alex. Wilson, Albert Hudson, Daniel Dabney and Louis Russell are the only negroes killed whose names the writer has been able to discover from traditional history.

Saturday night and Sunday following the riot were marked by the energy of emergency and intense excitement in the little military camp. Everybody made coffee and biscuits for the troops, and headquarters at the Patrick Lewis hotel and Central Female Institute, now Hillman College, were beehives of cooking activity. All the roads leading into Clinton were picketed and scouting parties scoured the woods in all directions in search of negroes implicated in what seemed to have been a meditated conspiracy. Thoroughly alarmed, many negroes in the surrounding country left their homes and crops to seek shelter in the friendly woods and swamps, while others camped around the Federal courthouse at Jackson, feeding on the ill-advised charity of Governor Ames, who but a short while before had made the reckless assertion that "the killing of a few negroes would only have the effect of influencing Northern elections in the interests of the Republican

party." While their cotton crops were rotting in the fields, these African Cincinnati were besieging the Governor for the State arms, with which to defend themselves, and it actually became necessary to detail a squad of forty whites to guard the capitol where the arms were stored. However, nothing more was ever seen in the streets of Clinton of that famous cavalry troop of "Loyal Laguers," whose bloodthirsty bravery had evidently evaporated in their blood-red plumes.

On September 7, three days after the riot, Governor Ames issued a proclamation commanding all members of military organizations in different sections of the State to disband forthwith and requiring all citizens to assist the peace officers in the preservation of order and the enforcement of the law. This the whites refused to do, at the same time placing at the disposal of the Governor a number of military companies composed of white men, irrespective of party affiliations, to maintain order. But Governor Ames, having little confidence in white militia, telegraphed President Grant on September 8th that "domestic violence in its most aggravated form prevails in various parts of the State beyond the power of the authorities to suppress." Then it was that the laconic President advised the hot-headed Governor that the general public were tired of these annual autumnal outbreaks in the South, and announced a policy of non-intervention on the part of the Federal government. This opportunity for home-rule granted by the President sounded the deathknell of reconstruction rule in Mississippi and thus the Clinton riot of September 4, 1875, indirectly made possible the glorious triumph of Democracy at the polls in 1876.

The return of the terrorized negroes to their homes after the riot was gradual, and their return to municipal, county and State politics was like that of the ship homeward bound, but which never reached its long looked for destination. This lesson of Anglo-Saxon supremacy, written in letters of blood, will ever remain the most important of the many lessons taught in the modest college town of Clinton to the rising young manhood of a proud and untrammeled Commonwealth.

THE CONFERENCE OF OCTOBER 15th, 1875, BETWEEN GENERAL GEORGE AND GOVERNOR AMES.

BY FRANK JOHNSTON.[1]

The year 1875 was one of the most eventful and memorable in the entire history of Mississippi, and the conference between the late Senator J. Z. George, then Chairman of the Democratic State Executive Committee, and Governor Adelbert Ames, then Governor of the State, that resulted in the Democratic victory of that year, marked the most critical period of that extraordinary and unprecedented campaign. It marked the crisis of the struggle of the white men to throw off Republican and alien rule and re-establish white supremacy in the State.

An accurate statement of the facts connected with that event,

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[1] Frank Johnston was born at Raymond, Mississippi, December 31, 1843. He is a son of Hon. Amos R. Johnston, now deceased, and a descendant of Jacob Johnston, of Southampton county, Virginia, who afterwards removed to North Carolina. His mother, Harriet Newell Battle-Johnston, was a daughter of Elisha Battle, of North Carolina, and Olivia Ruffin of the same State.

For three years prior to the war between the States, Mr. Johnston was a student at the Military Institute at Nashville, Tenn. At the beginning of the war he joined Company A, First Tennessee Light Artillery, commanded by Capt. Arthur Rutledge, and served in the army of East Tennessee under Gen. George B. Crittenden and Gen. Felix K. Zollicoffer.

In 1862, Mr. Johnston was elected lieutenant in Company A, First Mississippi Artillery, better known as "Wither's Artillery." He was in active service at different times, being at the battle of Wayne's Bluff and at the bombardment of Vicksburg, preceding the memorable seige of that place. He was also engaged in the battles of Chickasaw Bayou, Champion Hill, Big Black, and Barrett's Farm. Being badly wounded at Big Black, by a caisson explosion, he was taken to Vicksburg, where he was during the seige of that place. His horse was killed at Champion Hill and another one at Big Black. Mr. Johnston rendered conspicuous services at Chickasaw Bayou, as is shown by the reports of Colonel Withers, General Stephen D. Lee, and Lieutenant-General Pemberton.

In 1866, the author of this monograph was admitted to the bar by the Supreme Court of Mississippi. On June 14, of the same year, he was married to Miss Fannie Yerger, the third daughter of the late Judge William Yerger, of Jackson, Mississippi. There are now ten children of this marriage living.

Mr. Johnston took an active part in the canvass of 1875, and suggested to Senator George the plan of having a conference with Governor Ames, with a view of having the negro militia disarmed, the same working out favorably.

showing the manner in which the conference was brought about, should be placed on record, as an interesting and important part of the history of Mississippi.

Senator J. Z. George has received the credit, in the public estimation, of carrying through successfully the adjustment of the most critical situation that was ever presented in the history of the State.

It is due therefore to the memory of Senator George, as well as to those who were associated with him in the work of delivering the State from the perils that then environed it, that a correct account of that conference should be preserved.

A brief outline sketch of the condition of public affairs existing at the time of this conference, which was held on October the 15th, 1875, will show the dangers and the unprecedented difficulties involved in the struggle of the white men of the State to throw off Republican rule, that was then rapidly approaching the character of a negro government. This will also show how difficult and dangerous a task was confided to Senator George, when the Democratic Convention of 1875 made him Chairman of the Democratic State Executive Committee.

Mr. Johnston has been counsel in many cases of importance, among them a litigation for Mr. Thomas Watson and his associates against the English firm of Phillips, Marshall & Co., and B. H. Evers, involving the ownership of a large tract of land in the Yazoo-Mississippi Delta and in the Pine Region of South Mississippi. In that suit his client gained 450,000 acres of the Delta, and 150,000 acres of Pine land. This litigation was in the United States Court at Oxford, Miss.; the Circuit Court of Appeals at New Orleans, La., and the Supreme Court at Washington, D. C. This was the largest quantity of land ever involved in any case in the State. The case of Ford and Levy *vs.* Delta Land Co., involving nearly 100,000 acres of the same land, was decided finally for the Land Company on an appeal to the United States Supreme Court. This litigation involved a great number of legal questions arising out of the sales of land by the Liquidating Levee Commissioners, upon which the title of the Land Company depended. It is estimated that more than two millions of acres of land in the Delta depended on these questions.

The decision in the case of Ratliff Tax Collector against Beale, in which the Supreme Court decided that the poll tax could not be enforced by the sale of non-taxable property thus leaving its payment voluntary as a qualification of the suffrage was in favor of Mr. Johnston's side of the question.

Mr. Johnston has taken an honorable part in many strongly contested suits, many of which involved complicated legal and constitutional principles.

In 1884 Mr. Johnston began the public agitation of the question of abolishing state convict leasing, which system had been in operation since its establishment by the Republicans about 1870. He continued to give in

In 1874 the negro riot at Vicksburg occurred. Later in that year there was a negro riot at Dry Grove in Hinds county. Early in September, 1875, there was a riot in Yazoo City, in which one white man and several negroes were killed. Collisions and conflicts between the races grew in frequency.

After the inauguration of the determined and aggressive campaign of the white men in 1875 to get control of the State Government, local riots and collisions between the races were constantly increasing.

The Clinton riot occurred in the latter part of September, 1875, in which a number of white men were killed and wounded. This was by far the most serious affair of the kind that had occurred in the State. Its immediate effect upon the white men of the State was to rouse them to a state of the highest indignation and excitement. Its effect upon Governor Ames was to stimulate him in his efforts to keep the peace, and according to his views of the exigencies of the situation, the method selected to accomplish that object was to organize and arm negro militia forces in various parts of the State.

In the City of Jackson two negro militia companies were organized and armed with needle guns. Charles Caldwell, a mulatto, and a man of great courage, was placed in command of one of these companies. Another negro company was organized at Edwards, and two other companies of negro militia were formed and armed at other places in Mississippi.

In different parts of the State where disorders had occurred,

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numerous newspaper articles from time to time the details of the cruelties and evils of the system until it was abolished by the Constitutional Convention of 1890. An article worthy of special mention appeared in the Memphis *Commercial* in the early part of 1890. It was afterwards printed in pamphlet form by that paper and the whole edition was presented to the author. A copy of it was sent to each member of the Constitutional Convention before it assembled. The first act of this body was to abolish the State leasing system against which Mr. Johnston had worked so assiduously. The privileges of the floor of the Convention were extended to Mr. Johnston presumably on account of his work against a convict leasing system.

In January, 1893, Gov. John M. Stone appointed Mr. Johnston Attorney-General of the State to succeed the Hon. T. Marshall Miller, resigned. Mr. Johnston held this office until the end of Gov. Stone's administration (Jan., 1896) when he retired to private life, continuing the active practice of his profession.

In 1881 he was Chairman of the Democratic State Executive Committee. He is an active member of the Mississippi Historical Society.—EDITOR.

or where they were anticipated, the Governor proceeded with his policy of organizing the negro militia.

It was the common understanding at the time that Governor Ames distrusted the white men, and for that reason adopted the policy of reliance upon the negroes to sustain his government.

The whole Commonwealth was in a state of the greatest possible agitation and excitement. The white men at all the danger points of the State began at once to organize and arm themselves. At Jackson there were three companies, and in the county of Hinds there were seven other companies, all fully organized and armed. Jackson seemed to be the storm center, and promised soon to be the scene of a conflict between the white companies and the negro militia.

On October the 9th, a few days before the conference that resulted in the disarming of the negro militia, Governor Ames sent Caldwell's company to Edwards with the guns for arming the negro company organized at that place. General George was temporarily absent from Jackson at the time. Mr. Marion Smith, Secretary of the Democratic State Executive Committee, and I went to the Western Union Telegraph Company's office early in the day and wired our friends at Clinton, Bolton and Edwards to allow Caldwell's company to proceed without molestation, explaining General George's policy, to which they assented. No record was kept in the telegraph office of many of those messages, as they were given verbally to one of the operators in the office, and were of a confidential character.

It was the policy of General George to postpone as long as it was possible to do so, a conflict between the white men and the negro militia, for it was his opinion as well as that of his advisers, that upon such a collision, the United States troops would at once be placed at the disposal of Governor Ames.

Promptly after the Clinton riot, Governor Ames called on the Government at Washington for troops, but General Grant, who was then the President, declined to interfere. From time to time Governor Ames renewed unsuccessfully, his plea for Federal troops.

An attack upon the State militia, would unquestionably have brought the Federal Government to his assistance. Every day the tension grew stronger, and the climax of a race conflict grew

nearer. Governor Ames still held steadily on his course, and proposed to send a force of negro militia from Jackson to Yazoo City to reinstate as sheriff, Col. Morgan, who had fled from the county after the riot at that place. He also proposed to send a shipment of guns to DeSoto for arming the negro militia in that county.

The problem that confronted General George was one of the greatest possible difficulty. To carry the election, without a conflict with Governor Ames' negro militia, and avert such a conflict and avoid the coming of the Federal troops, seemed to be an impossible task.

Hon. L. Q. C. Lamar, describing the situation of the State in that year, used the following forcible and graphic language:

"I think the future of Mississippi is very dark. Ames has it dead. There can be no escape from his rule. His negro regiments amount to nothing. He will get them all killed and then Grant will take possession for him. May God help us."[2]

It became evident, finally, that unless some extraordinary action was taken on our part, the conflict would occur, and with it would be lost all hopes of overturning the Ames' administration, and of re-establishing white supremacy in the State.

At this point, upon a careful survey of the situation it occurred to me that Governor Ames' position must, in the nature of things, be a source of anxiety and embarrassment to him.

He was a man of high courage and intelligence. His status was that of a gentleman. He had placed himself in the extraordinary position of arming the negroes, because of his distrust of his own race, and was pressing upon a course that would inevitably involve the peopie of the State in a war of races.

Looking at the situation as it stood from Governor Ames's standpoint, it occurred to me that Senator George could suggest to him a *modus vivendi* that would enable him to recede from his position, with some dignity, and without entire loss of prestige for a man in his position.

The grievance of the white men was the arming of the negro militia. The ostensible purpose of that policy was to preserve order and maintain the peace of the State.

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[2] Mayes's *Life of Lamar*, page 211.

It occurred to me that if General George could give Governor Ames a statement of the whole situation from our point of view, and ask that the negro militia should be disbanded, promising for the white men of the State that we would keep the peace, that Governor Ames would accept such an opportunity to extricate himself from the embarrassments of his position.

I submitted these views to General George for his consideration, and after a full discussion of the subject, he declared emphatically that he would act upon the suggestions.

I remember distinctly that he remarked that he did not see how the meeting could be arranged, to which I replied that I would send a message in my own name, with his approval, to Governor Ames. This I did in the forenoon of the day before the conference took place.

Chancellor Harvey R. Ware carried the message to Governor Ames, which was in substance that, in my judgment, in a conference between himself and General George, an adjustment could be effected by which we would agree to keep the peace, and have a peaceable election, and the Negro militia could be disbanded on that basis.

In about an hour Chancellor Ware returned to me with an invitation from Governor Ames to General George to meet him at the Governor's Mansion at 10 o'clock the following morning with such citizens as he chose to invite to accompany him.

The committee that General George selected to participate in the conference are those named in Lowry and McCardle's *History of Mississippi*:

J. Z. George, Frank Johnston, Joshua Green, W. L. Nugent, T. J. Wharton, John W. Robinson, H. Hilzheim, E. Richardson, R. L. Saunders, J. C. Rietti, David Shelton, and Robert Lowry.

General George changed the hour of the conference from 10 o'clock to 9 o'clock in order to have the conference completed, and the terms of the agreement concluded, before the assembling of a meeting or convention of citizens from Hinds, Yazoo, Warren, Madison, and Rankin counties that had been informally called by several newspapers to meet the next day in Jackson.

The purpose of General George was to anticipate any possible obstruction from that source by having the conference over before the convention assembled. It would have been a difficult

subject to handle discreetly and successfully in a large popular assemblage at that time. It required a cool head and a firm hand for its successful management.

Accordingly the conference took place on the next morning at 9 o'clock in the west parlor of the Governor's Mansion. There was present at the conference a private agent of Mr. Pierepont, President Grant's Attorney General, Mr. C. K. Chace, who was a stranger to me at that time. Mr. Chase was sent here to observe and report the condition of affairs in the State to the Washington authorities.

Mr. Chase sat apart to himself during the entire colloquy and remained a silent but interested spectator of the conference.

The conference lasted over two hours, General George doing most of the talking. Governor Ames was a man of few words, and he asked only an occasional question.

General George presented a candid and sweeping survey of the whole situation. He explained the effect upon the white men of organizing and arming the negro militia, and of marching them through the country, and the danger of shipping guns to DeSoto county, and of sending the negro militia from Jackson to Yazoo City. He explained the excited state of public sentiment, and the increasing danger of a conflict between the white men and the Negro militia.

Governor Ames then said that he would not send the negro militia to Yazoo City, as he had intended doing, and that he would countermand the order for the shipment of the guns to DeSoto county.

General George then brought up the subject of disbanding the militia, giving the fullest assurances that we would do all in our power to aid in keeping the peace, and in having a peaceable election. To this Governor Ames replied that he would not disband, but would disarm and disperse the militia and send them to their homes. This General George accepted at once. It was then proposed by Governor Ames, and promptly assented to by General George, to place the arms of the militia in the custody of Maj. Allen, who was then commanding a squadron, or batallion, of Federal cavalry stationed at that time in Jackson. The whole negotiations were thus closed on this basis.

At 12 o'clock on the same day, the meeting or convention of

citizens was held in Angelo's Hall, and the terms of agreement were announced to the meeting by General George.

The body was turbulent and excited at the outset, and at one time it was thought that General George would lose control of the situation, but finally, when the full significance of the compact with Governor Ames was understood, the action of the committee was accepted as satisfactory.

In Lowry and McCardle's *History of Mississippi* the event is thus clearly and correctly stated:

"The meeting was held in the parlor of the Governor's Mansion. Terms were reached and mutual pledges given. After the conference with the Governor, a citizens' meeting was held in Angelo's Hall, with Professor Rice, of Clinton, in the Chair. The result of the conference with Governor Ames was made known, which was that the militia was to be disbanded, and the arms placed in possession of the United States troops, that the Governor had countermanded the order for the shipment of arms to De Soto county, and that no militia would be ordered to Yazoo. The committee pledged that peace and order would be observed."[3]

This completes the inside history of the celebrated Peace Agreement. General George carried it through with a firm hand and in good faith, and with a few exceptions the pledges given by him to Governor Ames were made good throughout the State.

The value of the results of this conference is thus described by Lowry and McCardle in their *History of Mississippi*:

"From that date the ranks of the radicals were broken, their leaders on the run, and a Democratic victory almost achieved."[4]

Professor Garner, in his *Reconstruction in Mississippi,* makes the following comment on the effects of that conference:

"What would doubtless have resulted in a bloody conflict between the whites and blacks, and perhaps an overthrow of the State government, was prevented by a treaty between the Democrats and the Governor, commonly known as the Peace Agreement."[5]

In conclusion I will advert to the text of Prof. Garner's *Reconstruction in Mississippi* on the subject of this conference.

The author speaking of Mr. C. K. Chase, says:

"Shortly after his arrival he sought an interview with General George and Editor Barksdale, and it was through his offices, as he claims, that the conference between the Governor and the citizens was held at which he was a spectator."[6]

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[3] Lowry and McCardle's *History of Mississippi,* p. 403.
[4] *Ibid.*
[5] Garner's *Reconstruction in Mississippi,* p. 388.
[6] *Ibid,* p. 387.

It is true that Mr. Chase called on General George upon his arrival in Jackson, which was several weeks prior to the Peace Conference, and stated to him that his mission to Mississippi was to observe and report to Mr. Pierepont the course of events in the State, but the interview had no special significance.

The claim of Mr. Chase is entirely unfounded, that the Peace Conference that occurred weeks afterwards, was brought about through his offices. I am positive that Mr. Chase never suggested to General George the idea of having a conference with Governor Ames. General George in our interview treated the suggestion as one entirely new to him, as it was, and everything that he said on that occasion carried the assumption that the idea had never before occurred to him. General George discussed the subject at length in our interview, and as soon as he had considered the matter in all its bearings, his decision was made.

Mr. Chase had several interviews with General George after the Peace Agreement, in which he showed General George communications that had been received by Governor Ames complaining of a few acts of violence in different parts of the State which General George took steps to prevent in the future.

Professor Garner says correctly:

"As complaints of disturbances came to Governor Ames they were turned over to Mr. Chase, who in turn laid them before the Democratic chairman for explanation."[7]

There is no doubt that the result of the conference with Governor Ames met Mr. Chase's approval, and it is very probable that he advised Governor Ames to act upon the message sent to Governor Ames through Chancellor Ware.

Chancellor Ware was absent on the mission for at least one hour, and during that time, it is to be presumed, that the matter was being discussed and considered by Governor Ames and his advisors, among whom was Mr. Chase. Mr. Chase, acting for the Washington authorities, it seems, counselled with Governor Ames, and gave him good advice.

Prof. Garner, in his *Reconstruction in Mississippi,* says, speaking of the time just prior to the conference:

"It was at this time that the organization of the militia was proceeding under the direction of Governor Ames, and plans were in preparation for sending Colonel Morgan back to Yazoo City, both of which Mr. Chase advised against."[8]

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[7] *Ibid.*
[8] *Ibid.*

It thus appears that Mr. Chase acted not only as the agent of the Department of Justice, but as the advisor of Governor Ames, and this was the extent of his functions and action in the State.

I will notice briefly a letter of Governor Ames to the Attorney General written after the peace agreement, quoting the following extracts:

"Through the intervention of Mr. C. K. Chase a bloody revolution has been averted.....I write this letter to you chiefly to thank you for sending here a gentleman who has succeeded in inspiring us all with confidence, and who by his wisdom and tact, has saved the State from a bloody chapter."[9]

The language of the first paragraph of the letter is misleading if it is intended to convey the idea that Mr. Chase proposed or suggested a conference with Governor Ames to General George. It was intended no doubt to express the meaning that Mr. Chase's coming to Mississippi at the instance of the Attorney General was a timely intervention.

It was certainly an intervention of an extraordinary character in the affairs of the State, for the Attorney General of the United States to send a private agent to Mississippi for the purpose of observing, and reporting, to him the course of events then taking place with a view of deciding upon so grave a step as the sending of troops to the State. In this sense, and only in this sense, the presence of Mr. Chase in the State was an intervention. And if it was upon his advice, as was doubtless the case, that Governor Ames consented to the conference, it was a timely intervention for us all.

The language of the second paragraph of the letter above quoted must allude to the wisdom and tact displayed by Mr. Chase in counselling Governor Ames against his policy of proceeding with the organization and arming of the negro militia and the proposed military expedition to Yazoo City.

It probably also refers to Mr. Chase's advice to Governor Ames to have the conference which was proposed in the manner I have explained, the result of which was evidently deeply gratifying to Governor Ames for in his letter to Mr. Pierepont he expressed his gratification, and his confidence in the promises made by General George.

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[9] *Ibid.*, p. 389.

Another fact will show conclusively that Mr. Chase did not originate, or propose, the conference, and that is Professor Garner states correctly on page 388 of *Reconstruction in Mississippi,* the fact that Chancellor Harvey R. Ware was sent to Governor Ames by our side, to request a conference, though the author states, incorrectly, that Chancellor Ware was sent on that mission by the citizens' meeting.

This, if true, would give the credit of the initiative of the conference to the citizens' meeting, but this cannot be correct, for the reason that the conference was completed, and the compact finally concluded, before the meeting, or convention, of the citizens in Angelo's Hall took place.

From the minutes of that meeting, presented in full in the "Testimony in Ames' Impeachment," it appears expressly that the conference with Governor Ames was over and the agreement had been concluded, for General George reported to the meeting that the conference had taken place, stating fully the terms of the agreement arrived at between himself and Governor Ames.

After this statement was made, at the request of the meeting, General George with his delegation, accompanied by the following gentlemen: Messrs. W. A. Montgomery, E. W. Cabiniss, T. C. Catchings, A. M. Harlow, Col. Gilruth, Dr. Moore and Judge Chester, waited upon Governor Ames at the Governor's office in the Capitol to suggest the advisability of allowing us to guard the arms of the militia in Jackson.

Governor Ames declined to make any change in the compact, and so the Peace Agreement stood precisely as made by General George.

In confirmation of the correctness of my statement of these occurrences, I submit the following letter from Hon. R. L. Saunders, of Jackson, Mississippi:

JACKSON, MISS., *3/5/1902.*

"HON. FRANK JOHNSTON,
"Jackson, Miss.

"MY DEAR SIR:

"It gives me pleasure to comply with your request to place in writing over my own signature, a statement of the facts connected with the Conference that was held in October, 1775, between Senator George, then Chairman of the Democratic State Executive Committee, and Governor Ames, then Governor of the State.

"The morning before the day of the conference between General George and Governor Ames, you suggested to General George at the Headquarters

of the Democratic State Executive Committee, in the Neal Building, in Jackson, the policy of having such a conference; you discussed the matter with him at least an hour.

"Mr. Joshua Green and Mr. Marion Smith, the Secretary of the Committee, both of whom are now deceased, and I were present. You advised and suggested the whole scheme.

"I heard the whole colloquy between General George and yourself. The plan that you suggested was to explain the situation from our point of view to Governor Ames, to state our grievances, and to promise on our part to keep the peace, if the negro militia was disbanded, that this would prevent a conflict with the militia that was threatening, and at the same time carry the election. On the other hand if Governor Ames declined our proffered aid and co-operation we would lose nothing, but on the contrary we would strengthen our position and put the whole responsibility upon him.

"General George finally approved the suggestion cordially.

"You then sent in your own name, with General George's approval, a message by Chancellor Harvey R. Ware to Governor Ames requesting him to invite General George to a Conference with the view of having some agreement by which the peace of the State could be preserved.

"Governor Ames in response to this message, sent an invitation to General George to meet him at the Governor's Mansion, the next morning at 10 o'clock, for a conference.

"General George afterwards changed the hour to 9 a. m., in order to have it concluded before a meeting of citizens from adjoining counties was held, that had been called by a number of newspapers to meet at Jackson the next day.

"The following gentlemen were present at the conference, by the invitation of General George: Yourself, Robert Lowry, E. Richardson, J. W. Robinson, T. J. Wharton, H. Hilzheim, W. L. Nugent, David Shelton, J. C. Rietti, Joshua Green and myself.

"The conference was had promptly at 9 o'clock the next morning in the parlor of the Mansion.

"There was a gentleman in the room with Governor Ames when we entered, who was a stranger to me, and appeared to be a stranger to all of us. He sat apart and listened attentively to all that was said, but did not himself speak a word during the conference, nor did any one speak to him.

"We afterwards learned that he was Mr. C. K. Chase, who had been sent here by the Attorney-General, or the President, to observe and report to Washington the condition of affairs in the State.

"The terms of the compact agreed upon between General George and the Governor were substantially as discussed between you and General George, that the militia would be disarmed, and the arms placed in the keeping of Major Allen, who was in command of a cavalry battalion, stationed at Jackson, that no guns would be shipped to DeSoto county, and no militia sent to Yazoo.

"On his side General George pledged himself and the Democrats of the State to keep the peace.

"The whole compact was finally concluded, and the delegation withdrew.

"Later on in the day the meeting of the citizens assembled in Angelo's Hall. General George went before the meeting, with his delegation, and stated the terms of the agreement.

"The meeting adjourned without any final endorsement, but it was generally understood that everybody approved General George's action, after the meeting was explained, though at the outset of the meeting the tone was excited and rather stormy.

"I am positive that Mr. Chase never made any suggestion to General George for a conference, for I was at the Democratic Headquarters daily

and constantly, and I knew everything of any importance, that went on at headquarters, and every move that was made.

"The condition of affairs at that time promised a war of races, and the complete loss of the election.

"Speedily after the conference the negroes lost heart entirely in the campaign, and it became evident that we would carry the election, which we did.

"My recollection is clear and distinct on all these points, and the events turned out as we anticipated they would.

"You deserve the credit of originating and proposing the plan that brought us the victory, and General George is entitled to the credit of carrying it through, as he certainly did, with the greatest skill and judgment, to a successful termination.

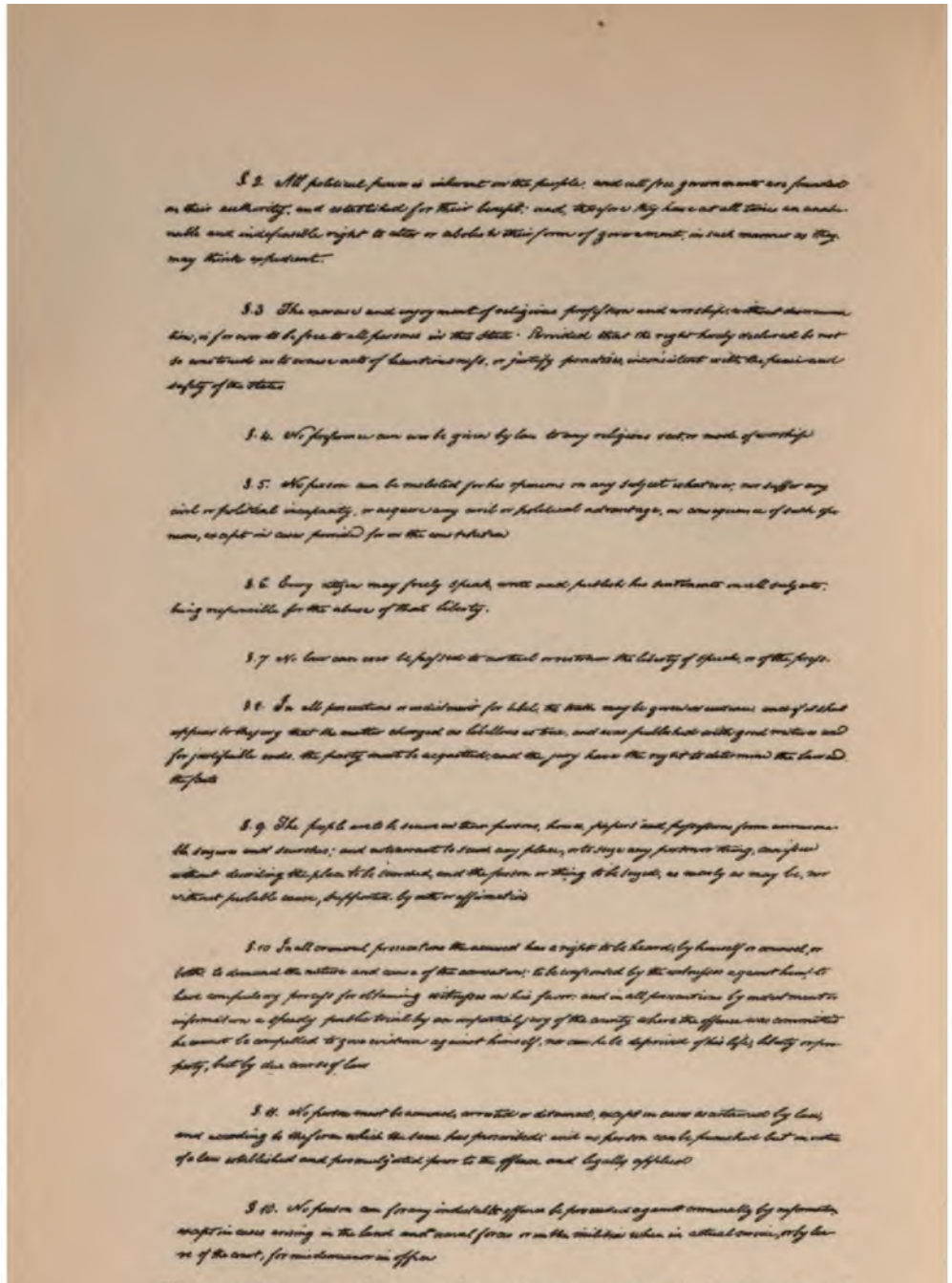
"Yours very truly,

"R. L. SAUNDERS."

Mr. Saunders is President of the Mississippi Mills, one of the largest cotton mills in the State, and he is well known throughout the State as a gentleman of the highest character and integrity.

The truth of history should be preserved, and with that motive I place the testimony of record, showing the origin and history of the peace conference between General George and Governor Ames.

The Legislature of Mississippi afterwards elected General George to the Senate of the United States, as a well merited recognition of his services in that campaign, and especially for the skill and diplomacy displayed by him in carrying out to a successful conclusion the policy of the Peace Conference of October 15, 1875.



§ 2. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit; and, therefore, they have at all times an unalienable and indefeasible right to alter or abolish their form of government in such manner as they may think expedient.

§ 3. The manner and enjoyment of religious profession and worship without discrimination, shall forever be free to all persons in this State: Provided, that the right hereby declared shall not be construed to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

§ 4. No person can be given by law any religious control over any office of trust.

§ 5. No person can be molested for his opinions on any subject whatever, nor suffer any civil or political incapacity, or acquire any civil or political advantage, on account of such opinions, except as may be provided for in the case of bribery.

§ 6. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

§ 7. No law can ever be passed to restrain or restrict the liberty of speech, or of the press.

§ 8. In all prosecutions or indictments for libel, the truth may be given in evidence; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the facts.

§ 9. The people shall be secure in their persons, houses, papers and possessions from unreasonable seizure and searches; and no warrant to search any place, or to seize any person or thing, shall issue without describing the place to be searched, and the person or thing to be seized, as nearly as may be, nor without probable cause, supported by oath or affirmation.

§ 10. In all criminal prosecutions the accused has a right to be heard by himself or counsel, or both, to demand the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and in all prosecutions by indictment or information a speedy public trial by an impartial jury of the county where the offence was committed; he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, but by due course of law.

§ 11. No person shall be arrested, imprisoned or detained, except in cases ascertained by law, and according to the form which the same has prescribed; and no person can be punished but in virtue of a law established and promulgated prior to the offence, and legally applied.

§ 12. No person can for any indictable offence be prosecuted against criminally by information, except in cases arising in the land or naval forces or in the militia when in actual service, or by leave of the court, for misdemeanor in office.

Photographic copy of a page from the manuscript of the first Constitution of Mississippi on file in the Department of Archives and History.

MISSISSIPPI'S FIRST CONSTITUTION AND ITS MAKERS.

By Dunbar Rowland.[1]

A recent visit to the little village of Washington, in Adams county, Mississippi, was so interesting from an historical view to me that I feel prompted to tell the story of what was done there eighty-five years ago in giving Mississippi its first organic law.

A sentimental interest always attaches to those places where history was made no matter how isolated and obscure they may be made by the changes wrought by a restless people. Independence Hall stands surrounded by the marble magnificence of a great modern city and looks poor, indeed, when compared with the stately structures of the "City of Brotherly Love," yet that little homely building of brick is dearer to the hearts of the American people and means more to them than all the priceless palaces of a great city.

The little village of Washington may have been forgotten and the historic memories which gather about it and hover over it may be growing dim in the minds and hearts of those who should cherish and love them, if so then this monograph may revive an interest in and a love for the place where the State of Mississippi had its birth, where its first Constitution was made, where our pioneer forefathers began the great work of State building and may remind this generation of the great and noble deeds of the fathers of the State.

The ruins of the little brick Methodist church of Lorenzo Dow, where the Convention met, are still to be seen on the campus of Jefferson College; the college yell is now to be heard where formerly the voice of wisdom resounded, and the measured pace of drilling cadets and the merry shouts of boyish voices have taken the place of the slow and thoughtful walk and talk of the lawmaker and statesman. ,

In its early history Mississippi shone resplendent with talent and learning. If out of a bright galaxy of great names only a few

[1] A sketch of the author of this article will be found in the *Publications of the Mississippi Historical Society,* Vol. III., p. 85.—Editor.

are mentioned here it is hoped that it will not be considered invidious, or cause an envious pang to read of their well-earned fame. There are hundreds of others equally noble and true, whose characters are like the fresh and gentle flowers of a spring garden—too sweet and modest to seek brazen fame.

It is the sacred duty of the State to cherish with vestal watchfulness such men. Our true and lasting glory hangs on the lives and characters of our great men.

"Like fabled gods, their mighty war
Shook realms and nations in the jar."

The State of Mississippi became a member of the Federal Union December 10th, 1817. The "Enabling Act," giving the Territory of Mississippi authority to form a Constitution and organize a State government was signed by President Madison March 1st, 1817. The first Constitutional Convention met at Washington, the Territorial capital, July 7th, 1817. A study of the membership of that Convention, of the men who were delegates to it, of their traits, appearance, ideas and characteristics will reveal something of the manly, sturdy, pioneer state-makers and nation builders who were but types of the founders of all the Southern States.

The discussion and analysis of the organic law itself will be reserved for future publication. Before taking up the main purpose of the story it will be well to tell something of Washington, where the Convention met. The best description of the little Territorial capital as it was in 1817 is given by Claiborne in his *Mississippi as a Province, Territory and State.* It is thus graphically described by that historian:

"The little town of Washington, six miles east of Natchez, in a rich wooded and picturesque country, was the seat of government. The land offices, the Surveyor General's office, the office of the Commissioners of Claims, and the courts of the United States were all there. In the immediate vicinity was Fort Dearborne and a permanent cantonment of United States troops. The highest officials of the Territory made it their residence, and many gentlemen of fortune attracted by its advantages went there to reside. There were three large hotels, and the academical department of Jefferson College inaugurated by Governor Claiborne was in successful operation. The society was highly cultured and refined.

The conflicting land titles had drawn a crowd of lawyers, generally young men of fine attainments and brilliant talents. It was a gay and fashionable place, compactly built for a mile or more from east to west, every hill in the neighborhood being occupied by some gentleman's chateau. The presence of the military had its influence on society; punctillo and ceremony, parades and public entertainments were the features of the place. It was of course the haunt of the politicians and office hunters; the center of po-

litical intrigue, the point to which all persons in pursuit of land or occupation first came. Washington was famous for its wine parties and dinners, usually enlivened by one or more duels directly afterward."

Such were the surroundings of the men who gave Mississippi her first Constitution and pointed out the way to future success and greatness.

The Convention met on the day set apart by law and organized by the election of David Holmes, the Governor of the Territory, president, and Louis Winston, a scholarly lawyer secretary.

The country was new and it might be supposed that the members of the first Constitutional Convention of Mississippi were rude unlettered frontiersmen with little culture and less learning. If such an idea prevails now it is not in keeping with the facts of history.

The first settlers of Virginia represented the best blood of the aristocracy of England; the Pilgrim Fathers who landed on the bleak and cheerless shores of Massachusetts Bay belonged to the great middle class of the mother country; the Mississippi pioneers came from both elements. They had the generous impulses of the one combined with the sturdy independence of the other.

It is generally supposed that the early settlers of Mississippi came altogether from a southern source, but that idea is far from the facts. The men and women who made Mississippi came from Maine, Massachusetts, New York and Pennsylvania as well as from Virginia, the Carolinas, Georgia and Tennessee.

The Convention consisted of forty-seven delegates representing fourteen counties.[2] The following list is taken from original sources:

Adams County—David Holmes, Josiah Simpson, James C.

[2] Biographical notes and sketches of the following members of this Convention will also be found in Claiborne's *Mississippi as a Province, Territory and States*—David Holmes (pp. 302-3); Josiah Simpson (p. 352); James C. Wilkins (p. 353); John Taylor (pp. 353-4); Christopher Rankin (p. 354); Edward Turner (p. 354-5); Joseph Sessions, John Steele, H. I Balch, Joseph E. Davis, John Ford, Dougal McLaughlin, and Noel Jourdan, (p. 355); Amos Burnet, James Patton, Clinch Gray, Laughlin McKay, John McRae, John McLeod, Thomas Bilbo, Harman Runnels and Walter Leake (p. 356); Thomas Barnes, Joshua G. Clark, Henry D. Downs, Gerard C. Brandon, Abram M. Scott, Daniel Williams, John Joor, Joseph Johnson, and David Dickson (p. 357); Cowles Mead (pp. 275-7); George Poindexter (pp. 361-414); and W. M. Lattimore (pp. 262-3, note).—Editor.

Wilkins, John Taylor, Joseph Sessions, John Steele, Christopher Rankin, Edward Turner.

Jefferson County—Cowles Mead, H. J. Balch, Joseph E. Davis, Cato West.

Wilkinson County—George Poindexter, Daniel Williams, Abram M. Scott, John Joor, Gerard C. Brandon, Joseph Johnson.

Amite County—Henry Hanna, Thomas Batchelor, John Burton, Thomas Torrance, Angus Wilkinson, William Lattimore.

Claiborne County—Walter Leake, Thomas Barnes, Daniel Burnet, Joshua G. Clarke.

Pike County—David Dickson, William J. Minton, James Y. McNabb.

Marion County—John Ford, Dougal McLaughlin.

Hancock County—Noel Jourdan, Amos Burnet.

Wayne County—James Patton, Clinch Gray.

Greene County—Laughlin McKay, John McRae.

Jackson County—John McLeod, Thomas Bilbo.

Warren County—Henry D. Downs, Andrew Glass.

Franklin County—James Knox, John Shaw.

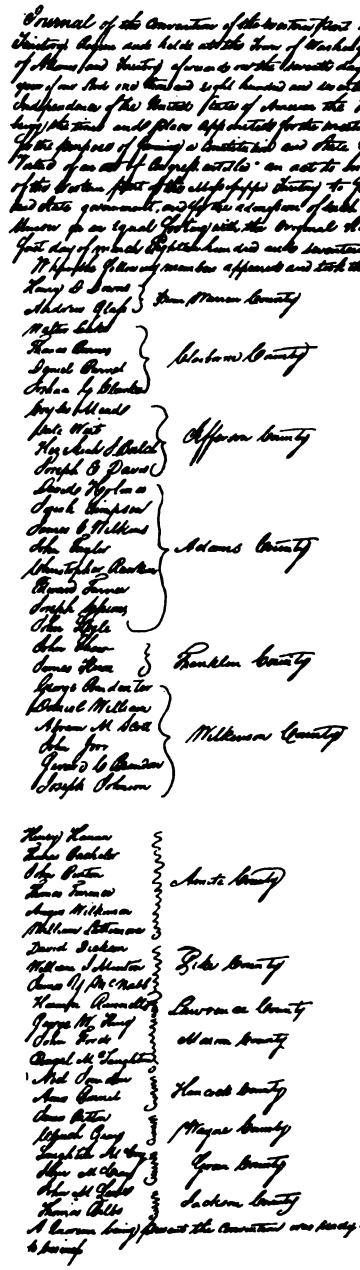
Lawrence County—Harmon Runnels, Geo. W. King.

David Holmes, the president of the Convention, was a good composite type of the entire body. The membership represented faithfully the two great types of American life—the Northern, with its industry, business capacity and fortitude, and the Southern with its capacity to govern, its courage, brilliancy and dash.

David Holmes was a product of the two types. His father was from Pennsylvania, his mother was a Virginian. The father of David Holmes was the commander of a regiment in the patriot army of the Revolution, his mother was a Miss Hunter of a family in Virginia that has given many historic names to the country.

David Holmes was born in York county, Pennsylvania, March 10th, 1769.[3] When he was an infant his parents moved to Winchester, Virginia. There were three sons born to the Holmes family. The oldest was Judge H. H. Holmes, a justice of the General Court of Virginia for twenty-five years. The second son was Col. A. H. Holmes, a brave officer of the American army who was killed in Canada during the War of 1812. David Holmes was the youngest son of this distinguished family. In his youth

[3]Some authorities claim that Governor Holmes was born in Virginia.



Photographic copy of the first page and part of the second page of the manuscript journal of the Mississippi Constitutional Convention of 1817 on file in the Department of Archives and History.

he had the advantages of a college training; after he reached maturity he read law and began the practice in Virginia. Before he was thirty years old he was elected to Congress. President Madison appointed him Governor of Mississippi Territory in 1809. His appointment caused many of his Virginia friends to go with him to the new country. After a service of eight years as territorial governor he was elected a delegate to the Constitutional Convention and made its presiding officer. Governor Holmes presided over the Convention with dignity, tact and ability. He served Mississippi faithfully for about eighteen years as Governor and United States Senator. In 1827 he returned to his boyhood home at Winchester and died there in 1832.

Governor Holmes was not a man of pre-eminent ability, he might truthfully be termed a plodder, a name which has been given to the highest type of genius—a man who can work and will and win.

George Poindexter, a delegate from Wilkinson county, was the master-mind and admitted leader of the Convention. He has been pictured as the meanest man who was prominent in the early history of Mississippi; there is little doubt that he was the intellectual if not moral leader of that time. He lived during a period when bitter, partisan political feeling was indifferent alike to the rules of courtesy and fair dealing, and much of the slander and infamy heaped on Mr. Poindexter was doubtless the work of his personal and political enemies.

The mantle of charity is thrown over his faults, he did a great work for Mississippi in spite of them. Time has now tempered the harshness of the judgment of the moral characteristics of George Poindexter. He was a Virginian by birth and was the son of a brilliant Baptist preacher. He studied law, was admitted to the bar, came to Mississippi in 1802 and located at Woodville, Wilkinson county. His unusual ability and brilliancy as a lawyer and advocate caused Governor Claiborne to appoint him Attorney-General of the Territory during the first year of his residence. Six years later he was elected by the Legislature to represent the Territory in the Congress of the United States. He was Congressman six years and gave up the position to accept a seat on the Supreme bench of the Territory. He was elected a delegate to the Constitutional Convention and made chairman

of the committee appointed to submit a draft of a proposed constitution to the general Convention for adoption. The constitution which was finally passed was mainly the work of Judge Poindexter. After the State was admitted to the Union he became, in 1820, the successor of Governor Holmes, and was elected to the United States Senate in 1830. Judge Poindexter attained the highest honors in the executive, legislative and judicial departments of the State government, and few Mississippians have been so signally honored.

Judge Poindexter had wonderful mental vigor and intellectual grasp. He has left his impress on the jurisprudence of Mississippi which time cannot efface.

Louis Winston, the Secretary of the Convention, was a scholarly young lawyer from Virginia who had come to the new State in search of fame and fortune. He was a member of the famous Winston family of Virginia, many of whom have shed honor on State and Nation. The young lawyer made an ideal secretary, he was careful, courteous and courtly, and his bearing in the Convention afterwards made him a leader in the new State. Winston county perpetuates his name and fame, and Louisville, the county seat was named in his honor.

Walter Leake was a member from Claiborne county. He was a careful, industrious, pains-taking lawyer who had come to Mississippi through the Federal government as a member of the Territorial Supreme Court. Judge Leake was one of the working members of the Convention. He was a native of Virginia and had much of the ease and polish of manner common among the country gentlemen of that State. Judge Leake and Thomas H. Williams were the first United States Senators from Mississippi. After serving three years in the Senate he resigned to become Governor of the State. His political career being almost an exact counterpart of that of George Poindexter. During the administration of Governor Leake the State Capitol was finally located at Jackson. He died during his term of office and his remains rest in the peaceful shades of the little college town of Clinton.

Gerard C. Brandon, a delegate from Wilkinson county, was probably the only native Mississippian in the Convention. He was born in Adams county in early Territorial days and was a large land owner and planter. His father was one of the pioneer

State-makers of what was then called the great Southwest. Governor Brandon was a cultured man of high character and his work in the Convention won the confidence and admiration of the people to such a degree that they called him to fill the highest offices in the new State. He was twice elected Lieutenant-Governor and in both instances filled out the unexpired term of his chief. The first was caused by the death of Governor Leake, the second by the resignation of Governor Holmes. In 1827 he was elected Governor, and re-elected in 1829. Governor Brandon was one of the purest and best men of Mississippi. After faithful public service he returned to his plantation in Wilkinson county respected and loved by all the people. His last public service was in the Constitutional Convention of 1832.

Cato West, of Jefferson county, was one of the most attractive and picturesque members of the Convention. He was one of the largest planters and slave owners of the Territory, and may be well taken as the representative of its aristocracy. He was a Virginian and was born in the famous old county of Fairfax. The ancestors of Col. West were men and women of distinguished lineage. His father was a wealthy country gentleman of the "Old Dominion," and gave his son all the advantages that riches could bestow. Col. West came to Mississippi in the early days of the Territory and made his home at Pickering, in Jefferson county. When W. C. C. Claiborne was appointed Governor of Mississippi Territory by President Jefferson in 1801, Col. West was appointed secretary. In 1803 Governor Claiborne was appointed by President Jefferson one of the commissioners to receive the Louisiana Territory from France and during the absence of the Governor, Col. West was the acting executive of the Territory. He was an elegant gentleman, a forceable and eloquent speaker and was one of the leaders in the early development of Mississippi.

Among the able men that Adams county sent to the Convention Christopher Rankin stands prominent. He was a leader of the Natchez bar when the "Enabling Act" was passed. Pennsylvania was his native State and like many other cultivated young men of the North came South as a school teacher. While teaching a country school in Georgia he studied law and after passing a satisfactory examination was admitted to the bar. The young

lawyer located at Liberty in Amite county in 1809. Natchez was then the metropolis of the Territory, and Mr. Rankin located there in 1809. He had grown to be one of the great lawyers of Mississippi in 1817 and was a leader in all public affairs. He was one of the ablest men in the Convention and his learning and wisdom were felt. After the adoption of the constitution and the organization of the State government Mr. Rankin went before the Legislature as a candidate for United States Senator and was defeated by Judge Walter Leake. He was afterward elected to the lower House of Congress and served three terms. Rankin county was named in his honor.

Cowles Mead was a brilliant member from Jefferson county. He had a somewhat sensational but highly honorable career before coming to Mississippi. Virginia was his native State. Georgia became his home in early life. He was admitted to the bar when very young and soon became prominent as an active partisan follower of Thomas Jefferson. His party nominated him for Congress as soon as he became eligible and the contest that followed resulted in his receiving the certificate of election together with a notice of contest. The contest resulted in the seat being given to his opponent. He was at once appointed secretary of Mississippi Territory by President Jefferson and came to Natchez to discharge the duties of the office. He was acting governor of the Territory in 1807, when Aaron Burr was arrested on Mississippi soil and charged with a conspiracy to disrupt the Union. Mr. Mead handled the Burr case with tact, good judgment and ability. In the Constitutional Convention he made a great reputation as a brilliant, emotional and showy speaker and an able parliamentarian. Governor Meade was Speaker of the Legislature in 1823-'24-'25. Meadville, the county seat of Franklin county, serves to honor and keep alive his memory.

John Taylor, of Natchez, was one of those men who succeed in spite of all obstacles. He had no early advantages of birth, education or wealth. He was born in Pennsylvania of poor and honorable parents. With the help of some kind lawyer friends he managed to obtain license to practice law. The friendless young lawyer drifted down the Mississippi from St. Louis and located at Natchez in 1805. He was willing to work and soon found something to occupy his professional talents. After a res-

idence of twelve years at his new home Mr. Taylor was one of the prominent lawyers of the Territory and was selected to represent his county in the Constitutional Convention. Judge Taylor was the first Chief Justice of the Supreme Court of Mississippi.

Josiah Simpson, a delegate from Adams county, was one of the great lawyers and jurists of the Convention. He was a university man, an accomplished scholar and a graduate of Princeton. Like Governor Holmes, Judge Simpson was born in Pennsylvania and married a beautiful woman of Virginia. He came to Mississippi in 1812 by appointment of President Madison as a member of the Territorial Supreme Court. Judge Simpson was a valuable member of the Convention, his culture and learning were in constant demand on all important committees. One of the old historic homes of Natchez is Devereaux, the old home of Judge Simpson. It is beautiful in its loveliness and has many sweet memories clustering around it.

Edward Turner, of Natchez, was a strong worker and leader of the Convention. He had many honors conferred on him while Mississippi was a Territory and they were increased when the State was admitted to the Union. He was an elegant, cultured Virginia gentleman and was the son-in-law of Col. Cato West. He served the Territory and State as Clerk of the Legislature, Register of the Land Office, Attorney General, Circuit Judge, Chancellor, Congressman, and Chief Justice of the Supreme Court. Judge Turner brought great legal learning into the Convention and with Poindexter, Rankin, Taylor and Leake as his co-laborers he did much of the actual labor and toil of its proceedings.

One of the most accomplished and interesting delegates was Noel Jourdan, of Hancock county. He was a scholar of unusual attainments, a man of the world who had seen and appreciated much of the knowledge and culture of Europe, and a lawyer learned and profound. Mr. Jourdon was the son of a French sergeant who came to America with the army of Count Rochambeau to aid the patriots of the new world in their fight for freedom. After the surrender of Lord Cornwallis Sergeant Jourdan decided to quit the French service and become a citizen of the country that he had fought to free. He located in New Orleans and established a French bakery that soon became famous and made its owner rich in a few years. The wealthy baker finally

retired from business and went to live in the lovely coast country of Mississippi in Hancock county. To make his son a learned man and an accomplished scholar became the aim of his life. Noel Jourdan was sent to Paris in his early manhood and was kept there until he had acquired all the culture of the then intellectual center of the world. On his return to America he at once became the leader of the coast counties and was the chosen champion of their interests in the Convention. Mr. Jourdon was inspired by pure and high ideals of true and just government and his efforts for his State were guided always by them.

Dr. William Lattimore was one of the delegates from Amite county. He was a scholarly, scientific physician who had come from Virginia to Mississippi in the "flush times" of the Territory. Dr. Lattimore had a talent for politics, and had represented the Territory in Congress for several terms. He was in Congress at the time of the passage of the "Enabling Act" and was largely instrumental in having the Territory admitted to the Union. His last public duty was the location of the State Capitol at Jackson in 1822 in connection with Gen. Thomas Hinds and Judge Peter A. Van Dorn.

Joseph E. Davis, of Jefferson county, came from Kentucky and located at Greenville. Mr. Davis was a profound lawyer and scholarly man. He was the elder brother and guardian of Jefferson Davis. The President of the Confederacy pays this tribute to his brother:

> "He was a profound lawyer, a wise man, a bold thinker, a zealous advocate of the principles of the constitution as understood by its founders, with a wide-spreading humanity which manifested itself especially in a patriarchal care of the many negroes dependent upon him, not merely for the supply of their physical wants but also for their moral and mental elevation, with regard to which he had more hope than most men of his large experience. To him materially as well as intellectually I am more indebted than to all other men."

James C. Wilkins, of Adams county, was an admitted force in the Convention. He was the richest merchant of the Territory and represented the business interests. Mr. Wilkins was a native of Pittsburg, Pennsylvania. He came to Natchez and married into the Minor family and soon became prominent in public affairs. He was a soldier in the Mississippi Volunteers and shared the glories of Gen. Jackson's victory over the English at New Orleans.

Abram M. Scott was another delegate to the Convention from Wilkinson county, who became Governor of Mississippi. He was a native of South Carolina. In the Creek War he commanded a company of Mississippi troops and did valiant service under Gen. Andrew Jackson. Governor Scott was a genial man of ability, courage and high character. He served two terms as Lieutenant-Governor and succeeded Governor Brandon in 1832.

Gen. John Joor, of Wilkinson county, was the most fascinating and picturesque figure on the floor of the Convention. While he was a man of wealth and breeding he was social and democratic in his life. Gen. Joor came to Mississippi from South Carolina and was a descendant of one of the best old Huguenot families of the State. He was a typical Southerner of the old time when dueling and fire-eating were the most popular diversions of the day.

Joshua G. Clark was one of the able delegates from Claiborne county. Born in Pennsylvania he came to Mississippi Territory to practice law and soon attained high rank at the bar. He was one of the best legal minds in the Convention and did faithful service by his wise advice and counsel. Judge Clark was the first Chancellor of the State, and his service on the bench was honorable and upright.

Harmon Runnels came to Mississippi from Georgia. He had been a fighting captain in the Continental Army and was a ready, forceful, strong character. He founded a family that became very influential in the State. The home of the Runnels was Monticello, Lawrence county. One of his sons, Hiram G. Runnels, was elected Governor in 1831.

Dougal McLaughlin, of Marion county, was a son of North Carolina and was a descendant of a hardy Highland clansman of bonny Scotland. He was a grand old man with all the virtues of his race.

Gen. James Patton represented Wayne county. He was a soldier, lawyer and orator of courtly manners and distinguished bearing. He was afterward elected Lieutenant-Governor of the State.

Col. Daniel Burnet represented Claiborne county. He came to the Southwest when Mississippi was a Spanish Province as an expert surveyor and after its admission into the Union served his people with fidelity in many public positions of honor and

trust. Col. Burnet was one of the most faithful of the early pioneers.

The men who gave Mississippi her first constitution belong now to an almost forgotten past, to a time that may be said to be the romantic period of the State's history. It is well to remember them. They belong to a time that can never be reproduced, it was indeed heroic. They had many of the noblest virtues of men. They represented a phase of Mississippi life which gave to succeeding generations a type of man that excites the admiration of all men. In many of them the rural simplicity of the plowman was combined with all the graces and accomplishments of the man of the world. All had a passionate fondness for state-craft, oratory and politics. They were high strung, passionate and quick to take offense; they were men of superb courage, unmoving integrity and unsullied honor.

A SKETCH OF THE MISSISSIPPI SECESSION CONVENTION OF 1861,—ITS MEMBERSHIP AND WORK.

By Thomas H. Woods.[1]

The disruption of the National Democratic Convention at Charleston, in 1860, was, as then appeared reasonably certain to the conservative and thoughtful and as is now plainly seen by all, the direful precursor of Civil War. That lamentable occurrence rendered inevitable the election of Mr. Lincoln to the presidency, and brought the slave-holding States face to face with that issue which Mr. Seward had prophetically declared

[1] Thomas H. Woods was born at Glasgow, Ky., in 1838. Ten years later his father, Rev. Hervey Woods, removed to Kemper county, Miss., where the subject of this sketch lived until the winter of 1871-2 when he removed to Meridian, Miss. He was educated at Williams College, Mass. In the winter of 1859-60 he was admitted to the bar in Mississippi and entered upon the practice of his profession at DeKalb, in Kemper county. Within a year he was elected to represent his county in the Secession Convention of 1861, being the youngest member of that historic body. At the outbreak of the hostilities, which followed, he volunteered as a private in the first company raised in Kemper county for the Confederate service. During the progress of the war he was promoted from time to time until he became captain of his old company before the surrender at Appomattox. He received a dangerous wound at Malvern Hill. After the war he resumed the active practice of his profession, being chosen District Attorney for his district. He held this office until he was removed by the carpetbag government. In 1869 he was nominated by the Democratic party of his district as a candidate for the State Senate, but as was the case with the other Democratic candidates the new forms of law militated against his election. He was again elected District Attorney in 1871 which office he filled so acceptably that he was re-elected in 1875. A year later he resigned to resume the practice of his profession as a private citizen. Judge Woods was elected a member of the Legislature in 1881 and declined re-election when his term expired. In 1885 he declined to accept the position of United States District Attorney, which was offered him by President Cleveland. Four years later he was made member of the Supreme Court of Mississippi by an appointment from Governor Lowry. This position Judge Woods held with great distinction until 1900, being re-appointed by successive governors from time to time. He was tendered by Governor Longino a re-appointment on the Supreme Bench for another full term, also the position of circuit judge of the Meridian district. He declined both of these honors, however, and again took up the practice of his profession at Meridian, Miss. The degree of LL. D. was conferred upon him by the University of Mississippi in 1892. A more detailed sketch of the life of Judge Woods will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. II, pp. 1070-2.—Editor.

involved "an irreconcilable conflict" between the Southern and the Northern States. After Mr. Lincoln's election by a purely sectional vote and on a platform of principles that distinctly foreshadowed the hostile and unconstitutional policy that the abolitionists intended thenceforward to pursue towards the South, and especially towards its peculiar institution; after John Brown's diabolical raid of incendiarism and robbery and murder into Virginia had alarmed and shocked the entire white population of the South; and after the declaration of Mr. Lincoln, the president-elect, that the issue between the sections must be settled by the peaceful methods of the ballot box, or by raids similar to that of John Brown, all hope of the preservation of the Union without bloodshed perished, and it was almost universally recognized that the fateful hour had come.

It is not inappropriate here to emphasize the influence of the foray of that murderous fanatic whose methods of pillage, incendiarism and incitation of servile insurrection, with all its unspeakable actrocities, Mr. Lincoln, voicing the sentiments of the radicals, pointed out as one of the two plans to be adopted for the final settlement of the controversy between the slave-holding and the non-slave-holding States. That the triumphant majority which carried Mr. Lincoln into the presidential chair, in 1860, then either openly or covertly sympathized with John Brown's lawless methods and work was felt to be morally certain. Southern detestation and horror of that robber-insurrectionist was fittingly expressed in a paragraph of the "Declaration of the immediate causes which induce and justify the secession of the State of Mississippi from the Federal Union," which was adopted by a Convention and published to the world in vindication of its action. In enumerating the acts of Northern hostility to the institution of slavery, amongst other counts in the Declaration, it is alleged that "It [a spirit of hostility] has invaded a State, and invested with the honors of martyrdom the wretch whose purpose was to apply flames to our dwellings and the weapons of destruction to our lives."

In the summer of the year 1860, Mr. Jefferson Davis, then a Senator from Mississippi in the Congress of the United States, delivered some addresses in the eastern section of this State, and perhaps in other sections also, in which, with his accustomed dig-

nity, eloquence and argumentative power, he pointed out the impending conflict and sought to arouse the people to meet it. No one who heard Mr. Davis's impassioned yet deliberate and guarded utterances in those addresses was left to doubt that the Senator saw the gathering tempest and heard the mutterings of the coming storm, and while to some who heard him, he appeared to minimize the danger, yet to all his imperial voice distinctly sounded the note of somber warning.

After the Legislature of Mississippi had summoned a Constitutional Convention to assemble in January, 1861, to determine what course the State would pursue in the crisis then to be met, and before that Convention had assembled, the question had been irrevocably decided by the people at the polls. As in the Convention itself when assembled, so with the people who elected its members, there were differences as to methods and means to be adopted to reach the desired end, but there was practical unanimity as to the end itself. The overwhelming sense of the people and of the Convention was that the hour had struck, and that secession was at once the necessity and the safety of the State. A small minority was for clinging to the Union and fighting the battle for our rights under the old flag; very many more, and they of our ablest and best, favored the final step of severing the State's relations to the Union only with co-operation of other slave-holding States first secured; but the great majority believed the time for immediate and decisive action was upon us and that the open door of security lay in separate, independent State action.

When the Secession Convention assembled, the advocates of immediate and independent action were complete masters of the situation, and, from the first day's meeting of that superb body, it was manifest to the most superficial observer that the die had been cast already, and that civil war was upon us. It was on the part of our enemies a war of invasion and conquest, and on our part a war for the defense of our homes and the maintenance of our constitutional rights. While the slavery agitation was the occasion of the war, it was not the cause. Nine-tenths of the men who fought the invaders of our soil were not slave-holders, and had no interest in perpetuating that institution. They fought, as their slave-holding comrades fought, to repel an insolent and

ruthless invader of our homes and rights, with scarcely a thought of slavery in their minds, and with none whatever as an impelling cause.

It can be truthfully affirmed by the youngest and most inconspicuous member of our Secession Convention that in learning, in ability, in patriotism and in nobility of individual character no such body had ever before, or has ever since, been assembled within our borders. In its membership, the delegates to the Convention may be said to have been truly representative of the highest and best in the old Whig and Democratic parties. From the old Whig ranks, J. L. Alcorn, J. Shall Yerger, Walker Brooke, T. A. Marshall, George R. Clayton, Francis M. Rogers, J. Winchester, H. W. Walter and Chas. D. Fontaine, with many others not then so widely known, had been chosen by the people without regard to former party affiliation. From the old Democratic host, Wm. S. Barry, L. Q. C. Lamar, Wiley P. Harris, Henry T. Ellett, A. M. Clayton, D. C. Glenn, Sam'l J. Gholson, J. Z. George, J. W. Clapp, and J. A. Orr, with a large number of others afterwards widely known, were likewise chosen by Whig and Democratic votes alike.

The most casual observer would have been struck with the vigorous and intellectual appearance of the membership. Nearly one-half of the delegates were not over forty years of age, and a single member only had turned the three-score mark. They were gentlemen in the full maturity of splendid young manhood, in the main.

The Mississippi Secession Convention was adorned, inspired, and largely controlled by its lawyer-members. Judge Wiley P. Harris, then and until his death the recognized and unchallenged leader of the bar of Mississippi, was pre-eminently influential in the work of that epoch-making assembly, and his voice was regarded as the voice of an oracle. There, as elsewhere, in the midst of the noblest and proudest of his professional brethren, he was *primus inter pares*. One pauses to wonder at the glory of his career and the splendor of his achievements when remembering that his fame was won without the adventitious claim of oratory or the meretricious aids of office and political power. Beside Judge Harris, there were Lamar, George, Brooke, Marshall, Yerger, the two Claytons, Barry, Glenn, Clapp, Ellett, Alcorn,

with many another,—all accounted luminaries of the first magnitude in the legal firmament.

Of course, the planters of the State were largely represented, too, and by representative men of that aristocracy of the old South. The great lawyers whose names have been mentioned were generally planters, also, as were others of the profession unnamed, but the lordly owners of immense landed estates, who lived the ample and opulent lives of country gentlemen, were there, too. Miles and Edward McGeehee, W. L. Keirn, Henry Vaughan, A. K. Farrar, Edward P. Jones, Dr. Alfred C. Holt, and Jno. B. Fizer, with others of whom space forbids mention, were distinguished members of the landed aristocracy of the commonwealth.

Besides lawyers and planters, the Convention was happy in the possession of other men of mark in various callings and professions. It is worthy of note that in those halcyon days of antebellum times the absolute divorce of church and state was markedly accentuated by the appearance, as a delegate to the Convention of only one gentleman of the clerical profession.

Over the entire Convention brooded a spirit of gravity and seriousness. There were no brilliant orations, and there was an absence of all rhetorical display and elocutionary flourish. The tremendous responsibility pressing upon the Convention was seen on every countenance. From Judge Harris, solitary, silent, introspective, and Mr. Lamar, brooding, abstracted and melancholy, downward through all ranks and classes was an air of fixed solemnity.

The two dramatic and thrilling incidents of the occasion were introduced by Mr. Alcorn, and by Mr. Walker Brooke, of Warren—a man great in appearance, in bearing, in intellect, and in speech. These gentlemen had been ardently attached to that old Whig party of which Henry Clay was so long leader, and they were both strongly and passionately attached to the Union. They had been sincerely desirous to avert any attempt to dissolve the Union by the separate and independent secession of Mississippi. Strongly and fervently they endeavored to enforce their views upon the Convention, but without avail, since the course of Mississippi had already been practically determined at the polls. After their views, shared and upheld by other able and true men,

had been overwhelmingly rejected, and after the Ordinance of Secession had been put upon its passage, both Mr. Alcorn and Mr. Brooke made patriotic and touching reference to their course theretofore and to the course which they should thenceforward pursue. When the name of Mr. Alcorn was called he arose amidst a silence that was almost painful in its intensity, and, with deep emotion, said:

"Mr. President: I have thought that a different course in regard to the settlement of this great controversy should have been adopted, and to that end I have labored and spoken. But the die is cast—the Rubicon is crossed— and I enlist myself with the army that marches on Rome. I vote for the ordinance."

When Mr. Brooke's name was called, he arose in his place and said:

"Mr. President: I was elected by a large majority as what is known as a co-operationist, which means, as I understand it, one who was in favor of united Southern action for the purpose of demanding further guaranties from the North, or failing in that, the formation of a Southern Confederacy. I have, to the best of my ability, endeavored to carry out the views of my constituents in these respects. I have acted in good faith and with no desire to make a factious opposition. I have failed."

These last words were spoken in a tone of infinite sadness, and with bowed head. Then recovering himself, he continued:

"Previous co-operation—co-operation before secession—was the object of my desire. Failing in this, I am willing to take, as the next best, subsequent co-operation, or co-operation after secession. The former is now impossible. I, therefore, am willing to adopt the latter. Should I vote against the ordinance after what has passed, I should vote to do nothing. Shall this convention adjourn without action? Should we do so, we would make ourselves obnoxious to the scorn and ridicule of the world. The next breeze from the North or from the East may bring to our ears the clash of resounding arms. Perhaps already the calm and peaceful waters of Charleston harbor are dyed and tinged with the blood of our friends and countrymen. In this emergency, should we do nothing, a shout of exultant derision would go up from our foes—

"As wild a yell
As if the fiends from heaven that fell
And raised the banner-cry of hell."

"Influenced by considerations of this character, which I now cannot more fully express, I feel it my duty, painful as it may be, to part from those with whom I have hitherto acted, to assume the responsibility of casting at least one of the votes of Warren county for the passage of the ordinance as reported. I vote aye."

No one at this distance of more than forty years from this thrilling scene can imagine the wave of relief and joy that swept over the Convention and broke into involuntary applause upon

that momentous occasion. This was the solitary dramatic burst of eloquence and applause, so far as can now be recalled.

To the work of the Convention we now turn, regretting that further particularization of the *personnel* of that illustrious body is impracticable in this incomplete sketch.

When the Convention assembled on January 7, 1861, ninety-eight delegates answered to their names, and the two absentees were in their seats on the following morning.

William S. Barry, of Lowndes, was chosen president. Mr. Barry, though then a young man of thirty-nine years of age, had been a member of the Federal House of Representatives, and had served in that body with distinction. He was a man of scholarly acquirements, and a brilliant orator, of strikingly handsome person and of winning address. The high honor was worthily bestowed and was worthily borne.

On that first day, on motion of Mr. Lamar—a man already famous in the State and Nation, and destined to yet immeasurably wider renown—a committee of fifteen was selected "to prepare an Ordinance providing for the withdrawal of Mississippi from the present Federal Union, with a view to the establishment of a new Confederacy to be composed of the Seceding States." This committee was composed of the following widely-known and universally honored men, viz:

L. Q. C. Lamar, of Lafayette,
Geo. R. Clayton, of Lowndes,
Wiley P. Harris, of Hinds,
S. J. Gholson, of Monroe,
J. L. Alcorn, of Coahoma,
Henry T. Ellett, of Claiborne,
Walker Brooke, of Warren,
Hugh R. Miller, of Pontotoc,
A. M. Clayton, of Marshall,
Alfred C. Holt, of Wilkinson,
J. Z. George, of Carroll,
E. H. Sanders, of Attala,
Benj. King, of Copiah,
Orlando Davis, of Tippah,
John A. Blair, of Tishomingo.

The committee was fairly divided between the Democratic and Whig leaders, the independent and the co-operationist Secessionists. The wisdom of the selections was manifest, and while there were marked divergences of opinion on the part of its members of different schools of politics, yet the patience, the courtesy and the patriotic purpose of all enabled the body to reach, in the end, a conclusion practically unanimous.

On the third day's meeting, Mr. Lamar, as chairman of the committee of fifteen, reported to the Convention the following:

"An Ordinance—To dissolve the Union between the State of Mississippi and other States united with her under the compact entitled 'The Constitution of the United States of America.'

"The people of Mississippi, in Convention assembled, do ordain and declare, and it is hereby ordained and declared, as follows, to wit:

"Section 1. That all laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America, be and the same are hereby repealed, and that all obligations on the part of said State, or the people thereof, to observe the same be withdrawn; and that the said State doth hereby resume all the rights, functions and powers which by any of said laws or ordinances were conveyed to the government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall henceforth be a free, sovereign and independent State."

No record of the debates on the report of the committee are in existence as they were had in secret session and were not taken down by any one, so far as is now known. From memory only can any one now speak. The debates were brief; there were no set orations; and there was absolute freedom from all acrimony. They were largely confined to those delegates who were unfavorable to immediate and separate State action. The most courteous and profound attention was given by every member, but the time for debate, it was felt, was passed. The time for action had come, and the friends of the report made by Mr. Lamar did not choose to delay that action by any unnecessary words.

Judge J. Shall Yerger, Whig and co-operationist, offered a lengthy substitute for the Ordinance entitled, "An Ordinance providing for the final settlement and adjustment of all difficulties between the Free and Slave States of the United States, by securing further guarantees within the present Union."

This ordinance was preceded by a recital of the acts of hostility towards the slave-holding States by the dominant majority of the Northern States, with a declaration of the impossibility of the

further continuance of Mississippi as a member of the Federal Union unless further guarantees securing the rights and equality of the slave-holding States shall be given by amendments to the Federal Constitution. It concluded with the declaration that a general convention of all the slave-holding States would be the safest and most efficient means of securing the desired object. The ordinance proposed by Judge Yerger then made provision for a convention of the slave-holding States to assemble at Lexington, Kentucky, on the 10th day of February, 1861, to take into consideration the relations which the said States shall thereafter occupy towards the General Government and the other States of the Union, and, also, to determine what amendments to the Federal Constitution are necessary and proper to secure the rights of the slave-holding States and to finally adjust all questions relating to the subject of slavery in such manner as will relieve the South from the further agitation of that subject, secure the people of the South in the peaceful and rightful enjoyment of their property, and restore that equilibrium in the organization of the government essential to a further continuance of the Union.

The second section of Judge Yerger's substitute declared that in the event such amendments of the Federal Constitution, and such measures for the protection of the slave-holding States shall not be acceded to and made by the non-slave-holding States, then the said Convention, on call of its President, shall be reassembled, and forthwith organize a separate Confederacy of the States represented in that convention, and of such other States as may join therein.

Judge Yerger's substitute was an admirable paper and worthy of its eminent author, but it was voted down by a great majority, as was to have been expected. The futility of his scheme was demonstrated soon afterwards by the unsuccessful efforts of Virginia and other border States to avert war and preserve the Union by methods similar to those advocated by Judge Yerger.

Mr. Alcorn then substituted an amendment to the Ordinance of Secession reported by Mr. Lamar, in these words:

"Be it further ordained, That this ordinance shall not go into effect until at least the States of Alabama, Georgia, Florida and Louisiana shall through their respective conventions, resolve to secede from the Federal Union and resume their sovereignty and independence."

Mr. Alcorn's amendment met the fate of Judge Yerger's substitute, and was lost by about the same vote.

Mr. Brooke then offered an amendment to Mr. Lamar's ordinance which provided that the Ordinance of Secession should not take effect until ratified by the voters at an election to be held for that purpose on the 1st Monday in February, and this amendment was lost also.

No further effort was made to stem the resistless tide, and on the 9th day of January, by a vote of 84 to 15, the Ordinance of Secession was adopted. On the passage of the Ordinance Mr. Alcorn and Mr. Brooke, as has been noted, voted with the majority, as did others who had seconded their efforts to postpone separate State action. Judge Yerger voted with the 15 against the passage of the Ordinance, but with a magnanimity and patriotism beyond all praise, all, with a solitary exception, signed the Ordinance, with the 84 voting for it, with the following declaration immediately preceding the signatures, viz:

"In testimony of the passage of which [the Ordinance of Secession] and the determination of the members of this Convention to uphold and maintain the State in the position she has assumed by said Ordinance, it is signed by the President and members of this Convention, this fifteenth day of January, A. D. 1861."

It is due to the memory of the only member who refused to sign the Ordinance, Col. J. J. Thornton, of Rankin, that he was constrained thereto by an immovable determination to do no act which might contribute to the secession of the State, but that, when secession had been decreed, he was amongst the earliest to enter the army then being raised.

The zeal, the devotion, and the harmony that characterized the work of the Convention in its preparations for the impending conflict was an inspiring proof of a righteous purpose to make good the momentous declaration of the Ordinance. On the floor of the Convention and in its committee rooms the earnest note of preparation for war was heard. Provision for raising troops was made and Jefferson Davis was appointed to the chief command with the rank of Major General. Earl Van Dorn, Charles Clark, James L. Alcorn and C. H. Mott were made Brigadier Generals.

The Montgomery Convention of the Seceding States of South

Carolina, Mississippi, Alabama, Louisiana, Florida and Georgia had now been called to meet on the 4th day of February, for the purpose of establishing a provisional government until such time as a permanent Confederation of the seceded States should be put into operation, and it thus became the duty of the Mississippi Convention to elect Mississippi's delegates to the Montgomery Convention.

Under a resolution offered by Mr. D. C. Glenn, it was determined to select the Montgomery delegates by ballot, without nominations, no delegate to be chosen unless receiving a majority of all votes cast. On the first ballot only one delegate was chosen under the rule adopted, and Judge Wiley P. Harris, leader of the bar and statesman in the highest sense of that much abused word, was thus signally honored. On this first ballot, more than sixty of the most widely known public men of the State, including Jefferson Davis and Albert G. Brown, were voted for. Before the second ballot was cast, Mr. Ellet, Mr. Glenn, Mr. Lamar, Mr. Aldridge, Judge Shall Yerger and Mr. Alcorn peremptorily declined to permit the further use of their names as candidates, and Mr. Dyer also withdrew the name of Major E. Barksdale, by Major Barksdale's direction. Before the fifth ballot was cast, Mr. Clapp withdrew his name from the further consideration of the Convention in a few choice words that did his modesty and his manhood great credit.

On the second ballot, Walker Brooke and Wm. S. Wilson were chosen, Mr. Brooke by the largest vote given on any ballot to any candidate,—a proud and deserved expression of the admiration and confidence of his fellow-members of the Convention.

On subsequent ballots, Mr. A. M. Clayton, Mr. W. S. Barry, the President of the Convention, Mr. Jas. T. Harrison and Judge J. A. P. Campbell (*clarum et venerabile nomen,* whose distinguished wearer yet lives to bless mankind with his presence) were chosen.

Soon after, Mr. Wm. S. Wilson resigned the place to which he had been elected, and Judge J. A. Orr, who survives in the matured vigor of a rare and eminent career, was chosen a member of the Provisional Congress, and subsequently, by the free choice of the people, was elected to the Congress of the Confederate States when a permanent government had been established.

When the Convention re-assembled in Jackson in March, 1861, many of its members had already gone into the army then being mobilized for southern defense, and soon after its adjournment the mass of its members were to be found in the field. George, in post-bellum days, Chief Justice of the Supreme Court and Senator from Mississippi in the Congress of the United States, and solidly great everywhere; Alcorn, Governor during a part of the critical perod of Reconstruction and bearing himself bravely and well, and afterwards United States Senator from Mississippi; Lamar, member of Congress, Senator, Cabinet Minister and Justice of the Supreme Court of the United States, towering amidst his fellows in all positions; Gholson, the brave old Roman who surrendered his Federal judgeship to serve his State; Chalmers, member of Congress, and a game-cock brigadier; Barry and Brantly and Colbert and Thornton and Terral who gallantly led Confederate regiments; Gibson and Eckford, and scores of others, all endured hardships and perils as good soldiers.

Was the great prize fought for worth the unspeakable cost and loss sustained and endured by the Southern people? Looking at the practical and immediate results, the answer must be in the negative. At the close of this greatest of modern civil wars, the vast majority of the fighting men of the South were lying in shallow trenches on sanguinary fields or were dragging out existence with wounded and mutilated bodies. There was scarcely a home from the Potomac to the Rio Grande in which there was not mourning over unreturning husbands, sons, or brothers.

There was privation and suffering everywhere. The armies of the Confederacy had, in the main, been clothed and fed directly by the people who remained at home on farms and plantations, and even the horses of the cavalry, artillery and quartermaster's department were the gift of the people. From the valley of the Shenandoah to the lines of Sherman's march to the sea there was fire and pillage and destruction on every hand. Sheridan had made good his direful threat to so lay waste the beautiful valley that a crow flying across the fields of his operations would find it necessary to carry its rations in its craw, and Sherman had shown along the blackened and devastated and depopulated lines of his march that war was "hell," and many admiring and fren-

zied people of the North had applauded such deeds as modern civilized warfare.

Then, too, about four million slaves, of the money value of more than one billion dollars, were freed by the stroke of a pen, and that almost inconceivable sum was subtracted from the sadly diminished resources of the former slave-holding States, and these liberated slaves were set up as stars in the political firmament. Thus the scarred and maimed and worn survivors of a lost cause returned to their impoverished and desolated homes.

Dreadful as was the scourge of war, it was not the final nor bitterest cup pressed to the lips of the conquered and prostrate commonwealths of the South. The seceding States were overcome in their resistance to the Federal Government and were reduced to the humiliating condition of subjugated provinces. The millions of late slaves were placed in a position of superiority over their former masters, and under the saturnalia of negro and carpet-bag and bayonet misrule and plunder, the men, women, and children of the white race were subjected to such indignity, outrage, and horror as now brings the blush to the face of Northern radicalism.

We repeat, was the great prize for which we fought worth the cost? It seems easy enough, now, in the light of after developments, to say the inevitable struggle should have been postponed. It seems easy enough now to say that a new government without armies, without money, without munitions of war, and without military stores was doomed to defeat from the beginning. It seems easy enough now to say that the seceding States, hemmed in by sea and land, dependent on their own internal resources and faced by a hostile world was destined to lose in the unequal struggle.

But it is all now buried in the grave of the hopes of the Confederacy. The envies and the jealousies, the hates and the blunders, the victories and the glories, all lie in one common charnel house. God alone knows the very right of it all, and only future generations can speak the voice of impartial truth.

Can it be possible that the vanquished were really conquerors? Who shall impiously declare that the costly sacrifices offered upon Southern altars may not yet revive and save the love of constitutional liberty in a land given over to idolatry of greed and gain?

Was the whole stupendous tragedy the mere play of blind chance? Is God really on the side of the strong battalions? Is there no Divine order in all the wide universe? Or does an eternal purpose run through all the ages? Let him who can make answer.

Of all the members of that illustrious body which ordained the withdrawal of Mississippi from the Union, only five survive. The Hon. S. H. Terral, LL. D., who is now one of the Judges of the Supreme Court, and who has long adorned and honored the bench by his purity, his constancy, his independence, and moral courage, none the less than by his scholarship and learning; the Hon. J. A. Orr, LL. D., ex-Congressman, former Judge, and now the nestor of our bar, brilliant, vigorous and in the full tide of a great and successful career as a lawyer; Col. M. D. L. Stephens, and Hon. Wm. A. Sumner, both of whom enjoy an honored green old age in their homes at Water Valley, Miss., and Hope, Ark.; and the writer of this sketch.

THE CAUSES AND EVENTS THAT LED TO THE CALLING OF THE CONSTITUTIONAL CONVENTION OF 1890.

By S. S. Calhoon.[1]

In order to expose the situation in Mississippi at the time the propriety of framing a new constitution began to be generally discussed, it is important to present a summary of precedent conditions.

At the present stage of the morals, wisdom and benevolence of mankind the conclusion of conflicts waged to settle political controversies by brute force, finds each of the hostile parties inflamed by unreasoning hate. This is the more bitter in cases of strife between sections of the same country. So it was in the War between the States which resulted in the downfall of the Southern Confederacy.

The passions of the people of the North were made to burn with greater fierceness by the murder of Mr. Lincoln. The blow which took the life of that great man, in its ultimate effect, so paralyzed the South that for thirty years she could not place her-

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[1] Judge S. S. Calhoon was born near Brandenburg, Ky., Jan. 2, 1838. He was born of Irish-Scotch ancestors, whose tribal name was Colquhoun. His family was prominent in Virginia history. Samuel Calhoon, the grandfather of the subject of this sketch, was born in Fauquier county, Va. He was among the early settlers of Kentucky, where the father of Judge Calhoon was born. Judge Calhoon's ancestry on his mother's side was of Prussian descent. The family of Judge Calhoon removed to Canton, Miss., in the autumn of 1838.

Judge Calhoon completed his education at the Cumberland University of Tennessee. He was admitted to the bar at the age of nineteen. Shortly afterward he became editor of the Yazoo City *Democrat*. In 1859 he took charge of the *States' Rights Democrat* at Helena, Ark. In the year following he returned to Canton, Miss., and resumed the active practice of his profession. At the outbreak of the War between the States he enlisted as a private in the Mississippi Rifles, which subsequently became a part of the Tenth Mississippi regiment. After a series of promotions he became lieutenant-colonel in the Confederate service, which position he held when his command surrendered at Greensboro, N. C. He participated in the battles fought by the army of Tennessee under Generals Johnston, Bragg, and Hood. He received three wounds in the war, two at Shiloh and one at Murfreesboro. Upon the return of peace Col. Calhoon resumed the practice of his profession. In the autumn of 1865 he was elected to fill an un-

self in the line of progress. It so increased the enmity of the North that the temper of the conservative statesmanship was unbalanced, and hatred of us, with no calm consideration of results, characterized every Federal act. The few, after the type of Mr. Lincoln, whose views of the permanent general welfare could not be disturbed by the passions of the hour, were overslaughed by the storm of popular prejudice, and all sorts of legislative monstrosities shocked the world.

It is true that there remained men in both sections broad enough to know that opinions are moulded by environments, that reverse situations cause reverse presentations, that violence and conservatism prevail in about the same proportion in both sections, and that by a law of nature, where two races co-exist, one or the other will dominate, and that a sudden wrenching of political relations is such a blunder as is tantamount to a grave crime against the social order. But their arguments were unavailing because there is no reasoning with prejudice inflamed by passion.

The South, being unsuccessful recovered from the fever of sectional animosity sooner than the North, as is natural. Still, in the light of subsequent events, our own Mississippi Legislature passed acts in reference to her negro population of such discriminating nature as to subject it to criticism. The mistake,

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expired term as district attorney of what was then the fifth district. The year following he was elected to this position for the full term of four years, but was later (1868) deposed because of his inability to take the test oath. He continued the practice of his profession until 1876, when he was appointed Circuit Judge of his district, his partner, Judge J. A. P. Campbell, being elevated to the Supreme bench. In the autumn of 1882 Judge Calhoon retired from the bench and again resumed the practice of his profession. He has taken a prominent part in State and national politics and has served as a delegate to the National Democratic Conventions which nominated Greeley (1872) and Cleveland (1883). He prepared the Democratic platform for a State Convention of 1889, also the address of the State Executive Committee of that time. He has been a member of the State Democratic Committee three times. Upon the organization of the Constitutional Convention of 1890, Judge Calhoon was elected President of that body. In 1900 he was appointed to succeed Judge Thomas H. Woods on the Supreme bench of the State, which position he now holds.

Judge Calhoon was married (1859) to Miss Augusta Roberts. This union was of short duration, Mrs. Calhoon dying three years later. His second marriage (1865) was to Miss Maggie McWillie, youngest daughter of Gov. McWillie.

A more detailed sketch of Judge Calhoon's life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pages 486-88.—Editor.

however, was soon apparent, and the objectionable acts of 1865 were repealed in 1867, when it was seen that fears of trouble from so large a class, just made free, were unfounded on the lines which were then believed to justify the original legislation. In the light of all previous history, however, the legislation of 1865 was justified as a protective measure.

The so-called "reconstruction" policy of Congress resulted in the constitution adopted on May 15th, 1868, which was ratified on December 1st, 1869. It was passed by a nondescript body composed of negroes, mulattoes, and brazen adventurers of the white race from the States recently in arms against us, who came here for plunder.

This assemblage was convened pursuant to a proclamation by a brigadier general of the United States regular army. It was generally known as the "Black and Tan Convention," and only here and there could be seen in it an intelligent patriotic Mississippian capable of making organic law.

As a matter of fact, however, the instrument, as finally ratified, strangely enough, was not, as whole, a bad constitution. It is a stranger fact that the good in it, we owe to the negroes under the conservative influence of their former owners and eminent white citizens, whom they were trained to respect. But, as may be easily imagined, the effrontery of such a collection of irresponsible men undertaking to frame organic law, aroused intense indignation and scorn, which extended beyond the makers to the work and persisted against that constitution as long as it existed. This sentiment is, perhaps, the most important factor in influencing the call of the Constitutional Convention of 1890. Without this *vis a tergo* it is very questionable whether all the other reasons combined would have accomplished the result. All the advocates of the measure appealed to it, whatever may have been their other special reasons, and their appeals on this ground always met with applause.

Superadded to this there were voters all over the State grouped around certain specific objections to the constitution of 1869, the first in importance being as to the right of suffrage, which requires a consideration of the history of the working of that constitution.

Under it the intelligence and honesty of the State of Mississippi, her patriotism, her magnanimity, her glorious record as the mother

of great statesmen and orators, her world-wide position in general legislation as the introducer of measures to further rights not before ventured upon by any State or Nation of our race, fell entirely out of contemplation. That class of her people who were the peers of any in Christendom were spurned, ignored, trampled on, sought to be held in contempt, governed in cities, counties, and in her own legislative halls, by their recently emancipated slaves, led by a set of vultures whom it would be flattery to denominate as disgusting, men without manhood enough to appreciate their own shame. The most grotesque ignorance characterized our county and State administration, the most shameless and rapacious peculation, bribery and corruption were familiar to officers, great and small. The public property was the private plunder of those in place, the public honor was the football of the paltriest vagabonds. The intelligent, the honorable, the men with the stakes of property and family name, the men of uprightness and probity who could not be corrupted, were laughed at and oppressed. Lands became of only nominal worth under a taxation disproportioned to values, the public domain was squandered, enterprise was crushed, activities ceased, the real State of Mississippi, the people who could make a state, or keep up a state when made, were prostrate. The "merry whistle of the plowboy and the song of the milkmaid" were hushed amid the groans of the oppressed. This saturnalia of demons went on for seven long years.

Conservatism is a leading feature of the Caucasian race as it should be of all wise men and all aggregations of wise men. Our people bore this for seven years—seven centuries in experience. They bore brutal punishment from their successful foes which has never had a parallel in history. Slaying the leaders in so-called rebellions is common in the annals of war. It is humane in comparison with what mad vengeance inflicted on us. Our leaders would cheerfully have died to save us—to save a whole people—from such diabolical wrongs. But such comparatively humane treatment was not enough. There must be a more refined cruelty. The whole mass, men, women and children must be crushed in a common woe. Our brethren at the North are even now humiliated and ashamed at the ruin wrought on mag-

nanimous foes by their evil passions of hate and revenge. It is, and will ever remain, a foul blot on the banner of enlightenment.

The Caucasian race is conservative. It bears until it is indecent to bear any longer. In Mississippi they bore their wrongs until it were better for the whole population to die than to suffer more. Then the instincts of the great race asserted themselves. The people, the real people, with the despairing strength of a wounded lion, arose and dashed the ignorant and corrupt despots from power and place. Like the king of beasts they took charge of the forest, and drove the inferior animals to their proper coverts.

There was revolution. There is no manhood nor honesty in attempting to disguise it. There was revolution. Our people said to the miserable hucksters and their ignorant negro dupes, "you shall rule a great State no longer, you shall no longer govern to destroy us and our former slaves whom we love, you shall no longer insult enlightenment and pull down civilization. Come down, get out." And they did come down, and get out, and the white people of Mississippi took charge of her polity.

But, as from all revolutions, from all expenditures of force, there came consequent evils, resultant disintegration of tissue.

Besides the exercise of force, there was also brought into use *fraud* in the manipulation of ballot boxes, which is never excusable, and it, unfortunately, became chronic. It began to be used even as between the whites themselves, and, following this, came a train of political juggling which reminds one of *what is said* of some of our sister States of the North. The wise among our people saw the enormous evil resultant in the course of time, and the hope was, by a new constitution, to so correct it as well as to so exclude ignorance, and crime and irresponsible floaters from the ballot as might insure an intelligent and honest administration of affairs without resort to force or fraud. These considerations were prominent influences in producing the Convention of 1890. Fourteen years of fraud excited nausea.

In addition to the matter of suffrage, and the sentiment against the black and tan constitution, divers other influences were at work.

Under the constitution of 1832 the Judiciary was elective, thus changing the system from that under the constitution of 1817. A large number of voters desired a return to the policy of electing judges and favored a new constitution to effect that. This was

hotly debated and the long familiar arguments pro and con were heard and read.

Under precedent constitutions the pamphlets containing legislative acts were crowded with private legislation and with the incorporation of cities, towns and villages, railroad companies, and amendments to charters, and divers other matters. All these concerns, easily to be covered by general laws, consumed a vast deal of the time of each session, involved enormous expense, and excited corruption, so that many thought a Convention important to remedy this evil. Others wanted it to make certain the taxation of corporations so that they could not escape, and to stop the pernicious legislative habit of long exemptions from taxation, and still others wanted an educational qualification, not only for voters, but for jurors also.

But the proximate cause for the present constitution was the condition of the suffrage. This was the great and constantly irritating evil. The absolute necessity of excluding ignorance and crime from the ballot box, and of purifying it from fraud and violence, was apparent to all good and patriotic citizens. This was inescapable if civilization and enlightened popular government were to be upheld and the honor of Mississippi protected.

The constitution of 1890 was the outcome of all the causes mentioned. That instrument has its imperfections, as have all the works of man. But, taken as a whole, it is doubtful if a better can be found. Certain it is that the verdict of all men must be that the makers of it were affected by no other ambition than to promote the honor and glory of the State and the prosperity and happiness of her people.

PENITENTIARY REFORM IN MISSISSIPPI.

By J. H. Jones.[1]

The final abandonment of the convict leasing system in Mississippi was the work of the Constitutional Convention of 1890, but in order to properly understand what was reformed it is necessary to give a brief history of this leasing system, and of the causes that brought about its ultimate suppression.

The plan of hiring out the penitentiary convicts to private persons and to corporations was first adopted during the military control of the State that preceded the reconstruction era. It was

[1] Col. J. H. Jones is a descendant of Huguenot ancestors. His parents, John Edmund and Mary A. (Mellard) Jones, were born in North Carolina and South Carolina respectively. Col. J. H. Jones was born in Autauga county, Ala., in 1838. His parents removed to Mobile when he was a small lad. Upon his father's death his mother removed to Macon county, Ala., where he was prepared for college. He was graduated at the University of Mississippi with the first honors of a class of fifty-six students, in 1858. The year following he married Miss Helen Davis of Wilkinson county, Miss., and removed to Bastrop, Tex., where he engaged in the practice of law until the beginning of the war between the States. He then returned overland to Wilkinson county, Miss., and entered the Confederate army. In 1862 he raised a company in Wilkinson county, the "Wilkinson Guards," which became incorporated into the 38th regiment of infantry. This regiment under Price and Van Dorn shared in the battle of Iuka and took part in the capture of Corinth. It afterwards became a part of the Vicksburg garrison and participated in the seige of that place, where it was captured. After being exchanged it was mounted and served under Gen. Forest. It suffered great losses in the battle of Harrisburg. After this battle the subject of this sketch was commissioned colonel to succeed Col. McKay, who was killed in the engagement. Owing to wounds received at Harrisburg, Col. Jones did not participate in Forrest's campaign in Tennessee, but after recovering he was with his regiment until the final surrender. Col. Jones lost two brothers at Harrisburg, and another at Vicksburg.

After the war he entered upon the active practice of his profession at Woodville, Miss. From 1886 to 1890 he represented his county in the lower House of the legislature. In 1890 he was elected to the State Senate. In the fall of that year he served in the Constitutional Convention from the State at large. He was Lieutenant-Governor of the State from 1896 to 1900. In giving an account of his legislative career, Goodspeed says: "As chairman of sub-committees to investigate land frauds he made full and exhaustive reports, and was an active advocate of reform in the jury system as well as in other institutions in the State." A more detailed sketch of his life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. I., pp. 1055-6.—Editor.

continued through that period, and under Democratic rule, for nearly thirty-three years, to its final suppression in 1894 by a constitutional provision.

Throughout this generation of ordinary human life this brutal system left its trail of dishonor and of death which could only find a parallel in some of the persecutions of the Middle Ages. And yet, for the entire period of its existence, the various Legislatures attempted to throw every possible safeguard and protection around the helpless convicts.

The Legislature of 1872, composed largely of negroes, limited the employment of convicts outside the walls to public works, but this was found to be too restrictive by those who were attracted to this new source of wealth, and in 1875 the Legislature threw the doors wide open, and leases were authorized to be made to private persons. It excused itself for this action by citing the urgent need of maintaining and guarding the convicts without cost to the State. Under this act contracts were not to continue beyond 1880.

This was the last of the carpet-bag legislation on the leasing system, and it was but reasonable to expect the correction of some of its abuses under the white Democratic rule which succeeded. But such was not the case; and it is humiliating to record that the cruel abuses practiced under this brutal system culminated between 1882 and 1887, when the death rate rose to more than fifteen per cent. among the convicts employed outside the walls, on plantations and other works,—"An epidemic death rate without the epidemic," as Capt. Frank Johnson termed it.

It is true that the cruelties commonly practiced upon the wretched convicts had attracted some attention, but the voice of their complainings was stifled and did not reach the legislative ear.

From 1876 to 1884 some changes were made in the management of the penitentiary but not in the interest of the convicts. "Commissioners" were created who were required to offer the entire penitentiary plant, including convicts, for lease to the highest bidder for cash, or on credit; and lest there should fail to be wholesale bidders the Legislature wisely provided that the convicts be continued to be let out in job lots to private persons. In order to offer inducements to persons to lease the entire penitentiary it was further provided that the lessees be em-

powered to let out to individuals such convicts as they did not need. This provision created a middle man whose profits in time had to be extracted from the helpless convicts. The legislative conscience was satisfied by laying solemn injunctions upon the lessees to treat their convicts humanely, and upon the commissioners to see that this was done, so far as might be convenient.

There is no record of what treatment the prisoners received during these first years of the leasing system, but it could hardly have been better than that which followed, and which was investigated and exposed.

From the beginning of this infamous system to 1884 these wretched prisoners seem not to have had one champion, who, for humanity's sake, would lift a voice of protest in their behalf.

In 1880, when leases authorized by former acts expired, the Legislature awoke to the fact that there was money in the convicts, and that it was no longer advisable to hire them out for their "victuals and clothes." This discovery was a serious shock to the average lessees of that day. Not only the middle man had to be paid, but now the State desired to share in the profits; and it was a serious question whether the brawn and blood of the convicts could stand any further exactions. In pursuance of this change of policy a "Board of Public Works" was created, composed of a member from each congressional district, and a bagging factory and a wagon factory were to be operated by convict labor. But the plan of leasing the penitentiary to the highest bidder, and of sub-leasing convicts to individuals and corporations was retained. The convicts however had appreciated in the legislative mind and the rental value of each was fixed at fifty dollars in addition to his support.

But the laws against the maltreatment of convicts were made more stringent, the superintendent was required to look more closely after the prisoners, and the State assumed a more complete supervision over them.

These perfunctory efforts were of little practical good, for the evils of the leasing system were a part of the system itself, and its entire destruction alone could correct them. These feeble and mistaken efforts to better the conditions showed, however, an evolution in the public mind which boded no good to the system.

There was little change until 1884, but the abuses inflicted upon

the convicts were beginning to attract public attention; for I find in the preamble to an act of the Legislature of that year "that the placing of convicts upon farms was not satisfactory to the people." Just why is not stated, but it was at this session that the voice of outraged humanity was to be heard for the first time in indignant protest against the savage barbarism, and fiendish cruelty of a system, which, for so long a time, had dishonored the name of the Christian State of Mississippi.

When the Legislature was in session in the winter of 1884 a squad of eighteen convicts was shipped to Vicksburg by steamer from some plantation in the Delta on their way to the prison hospital at Jackson. These convicts were in a frightful condition, showing the marks of most cruel punishment upon their half-naked bodies. Their fingers and toes were frost-bitten, and they were hardly able to walk. They presented such a shocking spectacle that the city authorities of Vicksburg refused to permit them to march through the streets, and had them conveyed in covered wagons to the railway station. These facts were published in a Vicksburg paper and for the first time the public had an object lesson of what the leasing system was.

In the House of Representatives the Hon. T. Marshall Miller, member from Warren county, moved to appoint a committee of investigation, which resolution was adopted and the committee appointed. This committee, of which Hon. Jeff Nelson was chairman, made a thorough investigation of the workings of the system on plantations, and on railroads, where some convicts were worked under sub-leases. Owing to the illness of the chairman the report of the committee was submitted by the Hon. R. E. Houston, of Aberdeen. It contained a detailed statement of the abuses inherent in the leasing system; among them cruel and brutal punishment, bad and insufficient food, open houses, affording no shelter, quarters crowded and filthy, scanty clothing, heartless neglect of the sick, overwork, cruel exposure to cold and wet weather, and, as a corollary, an appalling death rate. The evidence taken showed that some of the convicts had died under the terrible punishments inflicted.

This report was published in a few newspapers at the time but was lost or stolen and did not appear in the *House Journal* of that year.

While these disclosures caused a thrill of horror throughout the State nothing practical came of it. The leasing system was strongly entrenched, with a powerful lobby to work for it. Worse still, the State had become a partner in its nefarious profits. But its days were numbered.

In 1886 the convicts were leased to the Gulf and Ship Island Railroad Company, which had already held them under an assigned lease. This lease was made partly because it was thought the convicts would be better treated, party to encourage an enterprise that had taken strong hold upon the people of the State, and which, it was urged, would give to Mississippi a seaport of her own, and partly for profit.

Just at this point I desire to acknowledge the valuable service rendered by Capt. Frank Johnson, since Attorney General for the State, with which I was personally familiar at the time. He contributed a great deal to the final overthrow of the infamous leasing system. In 1884 he began the publication of a series of vigorous attacks on it and continued the good work from time to time until the meeting of the Legislature of 1888, when he gave valuable aid and furnished useful information to the penitentiary committee of the House of which committee I was chairman. He continued to press the need of reforming this system until the meeting of the Constitutional Convention, when he was accorded the privileges of the floor in recognition of his services in the interest of penitentiary reform. I am still further indebted to him for information as to the episode, already related, which occurred in Vicksburg, and the action of the House of Representatives in reference to the same.

At the meeting of the Legislature in 1886 the urgent necessity for penitentiary reform was generally conceded, but there were serious difficulties in the way. The number of convicts was large, averaging from 800 to 1,000, and the prison in Jackson could not accommodate them. This large number of convicts was partly due to a law which made the stealing of certain kinds of domestic animals a felony, regardless of value, whereas before its passage the stealing of any property under twenty-five dollars in value was petty larceny. This law failed of the deterrent effect hoped for and only served to swell the number of convicts in the

penitentiary. The affinity of "our Brother in Black" for fresh pork was in no wise impaired by it.

But the Legislature of 1886, made an earnest effort to check the abuses of the leasing system. A "Board of Control" was created composed of the Railroad Commissioners, who were among the best men in the State. This board was clothed with ample powers for the protection of convicts and was charged with the duty of their personal supervision. The superintendent of the penitentiary was required to visit the different camps and farms at least once a month. Thus every reasonable precaution was taken that a Legislature could take against the continuation of the evils complained of, save that of abolishing the system altogether. The friends of prison reform indulged the hope that by reason of the transfer of the convicts to a railroad corporation, to be worked in more compact bodies, which could be more easily supervised, and by the enforcement of the stringent measures adopted for their protection, the most flagrant abuses of the system would be abolished. But this hope was not to be realized, as we shall see. There was but one effective remedy and that had not been applied.

The Board of Control did not assume active control of the convicts until January 1st, 1887, owing to the fact that a number of leases did not expire until then. The board discharged its duty as faithfully as was practicable, but omnipresence alone could discover the true condition of the convicts. A visit of inspection was usually anticipated and prepared for; and if the wretched victims opened their mouths at all, the dread of the lash inspired them to sound the praises of their taskmasters.

But the board did find abuses, and made a report of them to the Legislature of 1888 and submitted evidence in support of it. In some cases leases were cancelled because of cruel treatment, the convicts being returned to the walls.

But the time had come when an end must be put to this dreadful system of inhuman and barbarous cruelty. The report of the legislative committee in 1884 and the disclosures made through the newspapers had so shocked the public conscience that radical measures of reform were imperatively demanded.

The Legislature of 1888 promptly took up the work, and the penitentiary committee of the House was required to make a

thorough investigation of the alleged cruel treatment of the convicts, and an appropriation was made for the purpose.

This committee made a most thorough investigation of the management of the convicts by the lessees. Camps were visited by the full committee, or by sub-committees, and convicts personally inspected in their homes, and every-day life. As a rule these inspections were carefully concealed from those in charge of the convicts until the inspection was made. Many witnessess were examined, and the work of the committee was painstaking and exhaustive. A report was made by this committee to the Legislature, supported by the testimony taken, which showed that while much improvement had been made in the treatment of convicts there still remained the same tendency to the practice of shocking cruelties by the brutal guards, and a few inhuman sub-contractors. As this report is full and comprehensive, and reaches conclusions, and makes recommendations looking to the final abolishment of the leasing system, which were afterwards adopted, in part, by the Constitutional Convention, I append it to this article, together with some interesting tables of the rates of mortality in other prisons; also with a few samples of the testimony submitted with the report. The names of all persons who are directly charged with cruelty to convicts in the report are suppressed. The leasing system is dead, and so let the names of the brutes who helped to kill it die with it.

From 1888 to the meeting of the Constitutional Convention the treatment of the convicts was much improved. By reason of the cancellation of some contracts, and the expiration of others, the convicts were concentrated in the hands of the Gulf and Ship Island Company, and were more conveniently situated for frequent inspection and supervision by the Board of Control and the superintendent. Cases of cruelty were promptly punished by the discharge of the offenders; and it is but just to say that those in immediate control of the work of the company, being gentlemen in the fullest sense, looked after the protection of the convicts. Despite the abatement of brutal punishments, whose effects were necessarily visible, the innate vices of the leasing system still got in their work. Through over-work, and the lack of ordinary sanitary care, the death rate in 1887 rose above fifteen per cent. What an awful accounting there will be at the Great

Day for the trail of horrors and of murders that this brutal system left behind it in the thirty-three years of its existence in Mississippi!

When the Constitutional Convention met in 1890 it was prepared to deal promptly with the penitentiary question. Public sentiment had already been crystalized in favor of its total abolition through the investigations and exposures of the past few years. Many of the members of the Convention had been members of the Legislatures which made investigations and they were entirely familiar with the practical workings of this barbarous system. On the sixth day after its organization the Hon. R. A. Dean, of Lafayette county, who was a member of the penitentiary committee in 1886, offered a resolution to appoint a committee on penitentiary affairs "to whom all ordinances and resolutions relating to the penitentiary or convict leasing system should be referred." The resolution was adopted and the President appointed a committee composed of R. A. Dean, chairman, W. S. Featherstone, of Marshall, George G. Dillard, of Noxubee, J. H. Jones, of Wilkinson, W. F. Love, of Amite, and J. L. Alcorn, of Coahoma, and J. S. Sexton of Copiah. Of this committee four had been members of the Legislatures of 1886 and 1888, and active participants in all the measures leading to the proposed reforms in the management of the penitentiary.

No time was lost by the friends of reform, and on the day of his appointment the chairman of the committee opened the attack on the leasing system by offering an ordinance as follows:

"Be it ordained by the people of the State of Mississippi in Convention assembled that from and after the 1st day of January, 1895, the system commonly known as the convict or leasing system shall be unlawful, and from and after that date the hiring of State convicts to individuals or corporations shall cease. The Legislature shall provide by appropriate legislation for the abandonment of this system by the above mentioned date or sooner if possible."

Other resolutions upon the subject were offered and referred to the committee on the penitentiary. Ten days after this, on the sixteenth day of the Convention, the committee made a report to the Convention through its chairman, who moved its adoption, and the matter of prison reform became the "regular order" of that body. In its report the committee recommended the abandonment of the leasing system not later than 1895; the removal

of the penitentiary from Jackson; the establishment of a prison farm; the creation of a Board of Control; the maintainance of a reformatory school; commutation of sentences for good conduct; the separation of the sexes; and the keeping of juvenile prisoners apart from more hardened criminals. This report was submitted on Friday, its consideration was resumed on Monday, the nineteenth day of the Convention, and after some amendments and modifications it was finally adopted on the twenty-first day as "Article Ten" of the new constitution. It was the first provision adopted by the Convention. Some opposition developed against this reform measure, but it was promptly overwhelmed.

The extraordinary rapidity with which this important provision was adopted was significant of the deep feeling which had been aroused against the leasing system throughout the State.

The principal changes made in the report of the committee was to fix the date for the expiration of all leases at June 1st, 1894, instead of 1895, and to permit the working of convicts on public roads and levees under State control. These last provisions have practically amounted to nothing, the convicts being all employed in agriculture.

It will be observed that the recommendations of the House committee of 1888 were mostly adopted by the Constitutional Convention.

Before concluding this article I will briefly state some of the results of this change of policy by the State. Under the leasing system the death rate went as high as seventeen per cent, which was murderous, and it rarely dropped below ten per cent.

According to the report of the Board of Control made to the Legislature of 1902, and including the period from October 1st, 1899, to October 1st, 1901, the average death rate was 4.7 per cent. This is not as low as it should be, but it marks a great improvement in the treatment of convicts under the new plan. According to this report all convicts are now employed in agricultural pursuits. At the termination of the leasing system the State was not prepared to employ all the convicts upon its own property, and so some farming lands were leased by it, and others worked "on shares;" that is, the planter furnished the land and teams and

the State provided the labor, which was exclusively controlled by State officials.

This plan has worked well. The convicts have proved not only self-sustaining, but a source of profit. In February, 1900, the Board of Control took an inventory of the property of the penitentiary and found the real estate worth $143,138.50, and the personalty, $222,581.78. Since then the State has purchased 13,789 acres of fertile land in the Delta of which about 6,000 acres have been cleared for cultivation. This land cost about $80,000 and the labor of clearing represents at least $60,000 more. It may be safely asserted that all this property represents the net profits of convict labor since the State assumed control of it. Owing to the large number of convicts to be cared for (the average for the two years included in the report of the board was 922) and the necessity of making entirely new provisions for their safe-keeping and employment, the best results have hardly been attained, as yet, from this change of policy, and we may reasonably look for still further betterment in the condition of the convicts. The best evidence of this will be the reduction of the death rate to that which prevails under ordinary social conditions. There is no sound reason why the death rate under such improvement should exceed that of the same class under usual home environment.

This leasing system was common to all the Southern States, except Kentucky and probably Virginia. It is difficult to understand how a system so barbarous could have been tolerated in any Christian community. It was evidently the product of human rapacity grafted upon the conditions that a defunct slavery had left behind it. It could only have flourished in an ex-slave State where ex-slaves made up the great majority of its convicts. Let us rejoice that it is no more.

APPENDIX.

(1). Report of the House Investigating Committee.

To the Hon. Speaker of the House of Representatives:

Your committee, charged with the duty of investigating the present management of the Penitentiary, respectfully submit the following report:

We was earnestly endeavored to arrive at the truth as to the management and treatment of convicts, without prejudice, or partiality, and to this end have almost entirely confined our examination to a class of witnesses reported to be reliable. Where witnesses, whose names were furnished us, were ascertained to be of doubtful veracity, we have invariably rejected

them. That the investigation has been impartial, is evidenced by the the number of officers and employees of the Gulf and Ship Island Railroad Company examined by us, whose testimony is herewith submitted. We have been compelled, almost constantly, to guard against a tendency on the part of witnesses on one side to smooth over or suppress facts, and on the other side to exaggerate them. We have most carefully endeavored to arrive at the true state of the case as presented in this report, and as the result of our investigations we have arrived at and report the following conclusions which we believe to be fully sustained by the testimony accompanying this report and made part of it:

"1st. We submit that the leasing system, under any form, is wrong in principle and viscious. Experienece teaches us that where human labor is farmed out for a consideration, uncontrolled by any interest the contractor may have in the welfare of the laborer, the laborer is very apt to be worked with a view to the highest possible gain to the employer; and where the power of the employer is absolute, as in the employment of convicts, it is almost certain to be abused in that direction. So natural is their thirst for gain, even at the price of humanity, that the owners of slaves were not always deterred from exactions, and sometimes cruelties, which jeopardized the lives of their valuable human chattels. The system of leasing convicts to individuals or corporations, to be worked by them for profit, simply restores a state of servitude worse than slavery, in this, that it is without any of the safeguards resulting from ownership of the slave. The good treatment of the convict must depend entirely upon the humanity of the person who immediately controls him; and we regret to say that the evidence taken by us shows that this sometimes affords but slight protection to convict labor in the hands of contractors.

If the leasing system is objectionable that of sub-leasing is doubly so. The sub-lessee must pay his middle man, the original lessee, a certain profit. This profit is charged up to the labor and is exacted from it in addition to the profit the sub-lessee must make. Of necessity then we look for overwork, and undue economy on the part of sub-lessees, and the testimony submitted shows that such expectation was realized. The treatment of convicts under sub-lessees we find to have been generally harsh if not positively cruel, and this is shown by the evidence taken by the Board of Control, a part of which is herewith submitted, by other evidence taken by this committee and by the fearful mortality among the convicts which continued to swell the death rate long after they were called in by the Gulf and Ship Island Railroad Company. (See testimony of Mr. Kyle, Dr. Johnson, Dr. Harny, Mr. Thomas, and others.) The testimony taken by the Board of Control shows that several convicts were frost-bitten while under the control of sub-lessees. Dr. Wint Johnson testified that frost-bite could hardly occur in this climate without undue exposure. One convict, Job King, now in the Walls, and examined by your committee, though apparently a very stout and able-bodied young man, is now on crutches in consequence of injuries received from frost-bite; and the evidence submitted shows that serious injury was inflicted upon others from the same cause.

The evidence shows that the treatment of convicts at the camp of..... in Monroe county was simply murderous. Your committee can find no better word to designate the brutal and often fatal cruelties inflicted upon convicts by this man. His lease continued from January until June, 1887, when it was revoked by the Board of Control. To the cruelties practiced by this brute in human form is in a great measure to be attributed the high death rate among convicts in 1887. From the evidence of his brutality and its results contained in the testimony of Mr. Thomas, of Mr. Murpp, a member of the House, and of Doctors Harney and Johnson, we are constrained to say that it is not creditable to the administration of justice in Munroe county, that this brute, and some of his creatures, are

not now under the management of the Gulf and Ship Island Railroad Company and in convict garb.

The average number of convicts for the years 1886 and 1887 was 738. Of these 67 died in 1886, showing a death-rate of 9.08 per cent. The number of deaths in 1887 was 114, a death rate of 15.44 per cent. To properly understand the significance of such a death-rate, and its bearing on the treatment of the convicts we refer to the Comparative Tables of the percentage of mortality in our own and other State prisons furnished by Mr. Frank Johnston, at the request of the committee, and stated by him to be authentic.

We also call attention to a table herewith submitted, showing the respective death-rates of white and colored convicts respectively, from 1880 to 1885, inclusive. We have not been able to obtain the different rates for 1886 to 1887, as the Superintendent's report is still in the hands of the State Printer. This table shows the average death rate for six years among the negroes is more than double that of the whites; and as there exists no sound reason why negroes should die faster than white men, this table is suggestive of different and worse treatment received by them.

It is but just to the lessees to state that they are not entirely responsible for this abnormal death-rate. We have shown that the death-rate of 1887 was in a great measure due to abuses by sub-lessees, particularly by..... It is further in evidence before us that many convicts are returned from county contractors, (how they got under them before conviction, we do not understand) in very bad condition, and often incurably diseased; (see testimony of Mr. Jenkins, Dr. Johnston, and the Superintendent) and your Committee inspected six convicts recently sent in who were all in bad condition. We submit that there are grave abuses that seem common to those county convict farms that need correction, and we respectfully call the attention of Boards of Supervisors of counties in which they are located to this evil, and suggest that attention be given thereto. Complaint is also made of the condition of convicts as they come from the various county jails, and from our investigations we believe them to be true, and this abuse also needs correction.

Our investigation shows that the health of convicts in the camps for the past few months is fairly good, and there is much less mortality among them.

The Superintendent reports 13 killed in attempts to escape, and by accident, and thirty deaths during the two years from diseases contracted before admission to the penitentiary. We must not be understood, however, to exonerate the lessees from all blame for this abnormal death rate. That there is much still to censure is shown abundantly by the testimony herewith submitted. Dr. Harry, for instance, thinks that some deaths resulted from working convicts in the hot sun who had been enfeebled by long confinement in county jails. We can see no excuse for this.

2nd. We find that the condition of convicts is improved since they were remanded to the immediate control of the Railroad Company, and placed under the supervision of the Board of Control and Superintendent. In the walls we find, after diligent inquiry, no cause of complaint. The walls are the refuge for all cases of chronic disease, and for enfeebled and disabled convicts, and the death rate, as shown by Dr. Johnson, is very low, under the circumstances, and affords the highest possible evidence of humane treatment of convicts within the walls. His letter and the table submitted to us, and reported herewith, shows that in 1886 he treated in the walls 507 convicts, twelve of whom died. This is a death rate of less than two per cent. In 1887 he treated 671 convicts, of whom sixteen died, a death-rate of 2.03 per cent. These deaths are included in the aggregate number of deaths for the two years, and if the rate in the walls is deducted from the average death-rate we find that the ratio of mortality in the camps in 1886 to be about 7 per cent. and for 1887 about 12.40 per cent.

Such a low rate in the *General Hospital* of the penitentiary, where convicts are usually sick, as compared with that in the camps, where convicts are suppposed to be well, is very significant of their treatment in the latter, and is very difficult of any explanation consistent with ordinary humane treatment.

At the camps on the Gulf and Ship Island Railroad visited by a subcommittee we find a great improvement over the treatment of convicts by sub-lessees, but many and serious abuses, incident to the system still continue. They are well fed and fairly clothed, but their quarters are of the rudest character (perhaps necessarily so from frequent changes) and but little attention seems to be paid to the personal cleanliness of the prisoners, or of the camps. It is claimed that the smoke of the fires contributes to the appearance of filth, but we refer to the report of Messrs. Pelham and Greaves, members of this committee, who visited some of the camps, in support of this conclusion. These gentlemen were informed that camp seven visited by them was the worst on the road; also that the committee was not expected for several days; and further that if the committee would visit other camps in the interior they would be found in better condition. The committee is disposed to believe that such would have been the result of further visits, *after notice thereof,* and time and means not permitting, no other camps were inspected.

We find that instances of cruelty are not uncommon, as the testimony shows, and some, very probably, do not come to light on account of intimidation that seems to be general in the camps, particularly those under .....(see testimony of the Superintendent, of Mr. Rainwater and others). One case mentioned by Dr. Harry, a surgeon of the Gulf and Ship Island Railroad Company, is positively shocking. Fortunately such extreme instances of inhumanity seem to be rare.

There is no evidence before the committee that the lessees permitted or countenanced cruelty to convicts by their subordinates, or that it was known to them that abuses occurred, on the contrary it was shown that they forbade all cruel and unusual punishments and abuse. We submit, however, that the lessees cannot and ought not to be held blameless therefor. They could have informed themselves of any and all abuses by the exercise of ordinary diligence; and they are, consequently, clearly responsible for much of the abuses practiced, because of this negligence, and because of their keeping in their employ such men as.....and..... The evidence shows that these men have been habitually cruel in their treatment of convicts, and they have both been discharged for brutal conduct, but one of them is still in the employ of the lessees. Such proof raises a fair presumption that the lessees are at least indifferent to the treatment of convicts, so a satisfactory amount of work is exacted from them. Another frequent cause of the maltreatment of convicts is the class of guards employed. They work for twelve dollars and a half a month, and we submit that such a price for such service can only command a very cheap order of man.

It must be borne in mind, however, that abuses are sometimes exaggerated; that punishment must be inflicted to maintain discipline, and is occasionally necessarily severe. Punishment, so inflicted, is often reported by a sympathetic bystander, when in fact, the offense committed demands it. It must also be remembered that convicts are not selected from the best class of our citizens, and there are many viscious persons among them who require the sternest repressive measures. All old soldiers will recall to mind the apparently harsh punishment sometimes inflicted on men who were supposed to be patriots and gentlemen, and who were freemen. And yet such punishments were necessary. Were it not for a continuance of an abnormal death-rate—at least to within a few months—your committee would be disposed to explain many reported abuses in the manner above

mentioned, but this death rate speaks for itself, and cannot be explained away.

3rd. Your committee having demonstrated the evils of the leasing system, which they believe to be inherent in it, and incapable of complete elimination therefrom, therefore recommend that the system be abandoned as soon as practicable. But how and when to abandon it is a very grave question, and demands most thoughtful consideration. It is, moreover, a practical question, and cannot be settled upon purely sentimental considerations.

To effect an immediate and radical change, however much it may be desired, will involve an enormous outlay of money, and increase the rate of taxation to the point of being burdensome. We do not believe, therefore, that such a measure is either wise or profitable in the present condition of our State finances. The State is annually increasing her debt, and is in no condition to assume new burdens unless they are imperatively demanded.

Our investigations show that great improvement has resulted in the last few months from the supervision exercised by the Board of Control and Superintendent of the Penitentiary over the convicts. This supervision is of necessity somewhat perfunctory, being restricted to occasional visits, but the good already accomplished points out the proper remedy for much of the existing evil of the leasing system. Your committee therefore recommend that the Board of Control should have the appointment of all officials, medical or otherwise, charged with the personal management of convicts, and that they be paid out of the State Treasury, as suggested by the Board of Control on page 13 of their printed report. We submit that the State has no moral right to part with the personal supervision and management of its convicts for any consideration whatever; and we believe that the proper exercise of such supervision by the State will cause an abatement of many of the evils now existing.

Your committee submit that if the changes are made as suggested herein the effect would be to alter, if not abrogate the present contract with the Gulf and Ship Island Railroad Company, but in our opinion the State owes it to herself to provide, at any and all costs, for the humane treatment of its convicts regardless of private interests. We further submit that if any changes are made this company should have the privilege of employing all able-bodied convicts on its line of road at reasonable rates, and in preference to others. This road runs through a remarkably healthy section, and its completion would greatly benefit a large part of the State; and if a part of the convicts must still be worked by contract, which seems inevitable for the present, there is no sound reason why they should not be employed upon this road, provided satisfactory arrangements can be made for their protection and control by the State.

4th. Your committee further recommend to the end that the leasing system may be finally abandoned, that sufficient land be purchased, at some suitable location, upon which temporary accommodations be made for the care and employment of such prisoners as are unfit for heavy work on railroads and levees; and that they be employed in agricultural work, and in the making of brick, and other work looking to the erection of a suitable prison to be built upon modern sanitary plans.

5th. Your committee recommend and adopt section five of the report of the Board of Control as follows: "There should be provided at the walls such facilities for manufacturing, cabinet making, smithing, wagon making, carpentering, shoe-making, tailoring, etc., as will employ all convicts under sentence for long terms of imprisonment. This work should be confined as nearly as practicable to the making of such articles as are to be used by the penitentiary, thereby avoiding, as much as possible, competition with free labor. In this way an opportunity would be given a prisoner to learn a trade by which he would be useful to himself after his

term of service expires. Convicts serving long sentences should, under no circumstances, be worked outside the walls.

6th. Your committee further recommend certain repairs on the penitentiary buildings as necessary to the health and comfort of the inmates, and to the preservation of valuable property; and recommend that an appropriation not to exceed $3,500 be made for that purpose.

7th. Your committee submit that the amendment to the code of 1880 which raises the measure of grand larceny to stolen property of the value of twenty-five dollars, and which has passed both Houses of the Legislature, offers a solution, in part, of the convict problem as it will materially lessen the number of prisoners sent to the penitentiary in the future. The large number of convicts now confined renders the task of properly supervising them and protecting them, a very difficult one, and any considerable decrease in their number consistent with equity and the public good is to be desired.

We therefore recommend that the Board of Control be authorized, in the event said act becomes a law, to ascertain what convicts are now serving out terms for larceny of property under the value of twenty-five dollars, and who have, at the time of the passage of said act, served out one year of their respective terms, and to present the names of such convicts to the governor with a request that he do pardon them.

8. Your committee further submit that inasmuch as the end of punishment for crime is to prevent its repetition, and to reform, if possible, the criminal, we therefore recommend that some inducement to good behavior on the part of convicts be grafted on our prison system; and that a rate of commutation of the sentence dependent upon good conduct, the rate to be fixed by law, whereby the term of imprisonment may be shortened, should be devised. Such a system has been successfully tried in other States and we earnestly suggest its adoption in this.

9th. Your committee invite attention to the long terms of imprisonment imposed in this State, as compared with those imposed for like offences in others, as shown by a table of statistics furnished by Mr. Frank Johnston, and attached hereto. It will be also observed that boys are serving out severe sentences, whose ages would suggest the need of a reformatory for junevile offenders. The correction of the first evil is in the power of the circuit judges. The latter needs legislation.

Your committee have fully investigated and reported on the subject matter submitted to their consideration, and inasmuch as a bill providing for many, if not all the abuses herein suggested, is being prepared by the Senate committee on the penitentiary, your committee deem it unnecessary to submit a bill with this report.

Respectfully submitted,

J. H. JONES,
Chairman.

J. B. GREAVES,
JNO. T. CASEY,
J. H. SHARP,
C. K. CARUTHERS,
Secretary.

W. H. STOVALL,
J. M. PELHAM,
W. T. MAGRUDER,
J. H. CRAWFORD,
T. H. UNDERWOOD.

(2). Copy of Statement of T. L. Thomas.

1. .....sub-contractor, has about 196 convicts in Monroe county, 16 miles from Aberdeen, on Birmingham R. R., at railroad work. The convicts are worked on Sundays.

2. They are whipped cruelly and often for slight offenses. Bull whips and sole-leather straps attached to wooden handles used. The whipping is applied to the naked flesh. The marks on the convicts show the punishment inflicted.

3. It is generally believed in the camp that one of.....guards whipped a convict to death, who was whipped one day and died next morning.

4. .....is the most cruel and brutal man I ever knew. He drinks heavily. Some of his "bosses" are very cruel men, while some are kind. .....whips the convicts with his own hands, and all the bosses whip. I have seen him whip convicts cruelly several times. On one occasion he ordered a convict to carry a sack of oats to the top tier of a pile of oats. The man was too weak to do it. Indeed a stout man could not have performed this task.....whipped the man with an ox-whip, with the whip part doubled back on the pole. He snatched the whip from a wagon-driver standing near.

5. It is the general practice to *curse* the convicts.

6. The convicts are badly clothed; about two-thirds, on an average, are bare-footed, and were so during March while I was at the camp. They were worked then on the railroad construction, in the wet, water, mud and cold. Numbers had sore and swollen feet.

7. .....has two "shack" houses about two miles apart for the convicts to live in. The convicts are sometimes in two squads, and divided between these houses, and sometimes all are kept in one house.

These houses are made of upright poles stuck in the ground to make the walls. No windows in them, but there are large gaps between the poles 4 to 6 inches wide, all around the sides, nothing to obstruct the wind and cold; houses covered with pine boards; dirt floor. There are two or three planks, one above the other, on which the men sleep. These houses are cold. There is one stove in each, but this does not begin to warm the house. There are no separate bunks, but these plank platforms, one above the other, are put across the house, and the men lie side by side close together, with no division between them. These houses are about 35 or 40 by 75 feet in size, and in one of them the whole number of convicts are sometimes kept. There is no stockade around these "shacks," but guards are placed around them. The convicts eat and sleep in the shack-house. When they are not worked on Sunday they are kept in the shack-house. Each convict has one blanket, and lies on a bare plank for a bed.

The convicts are waked at 4.30 o'clock a. m., get their breakfast immediately (it being already prepared for them by convict cooks) and at once are put to work. They rest 40 minutes for dinner. This includes going and coming for dinner and eating the meal. They are then worked until after sundown, and as long as it is light enough for a guard to see how to shoot. They are worked every day, rain or shine, cold or wet.

9. No hospital at all. The sick are left with the well—sleep right with them on these planks, and when they die they die among the living. There are always sick convicts on hand. The diet for the sick is just the same as for the well, and prepared the same way. There are no nurses for the sick. The "shack" house is filthy, and has a horrible stench all the time. No paint, whitewash, or disinfectants are used. The convicts are dirty; if they ever have a chance to wash and cleanse themselves I do not know it.

10. All the time I was there (about a month) there was no official inspection of the camp.....employed all the guards, and he and his bosses have absolute control. They work the men constantly who are

complaining of being sick, and who are not able to work; and this is an every day occurrence.

Signed T. L. THOMAS,
Postoffice Terry, Miss.

(3). TABLES SUBMITTED BY HON. FRANK JOHNSON.

To the Hon. J. H. Jones, Chairman of Committee on the Penitentiary:
At the request of your committee I submit the following tables:
Respectfully,

FRANK JOHNSON.

AVERAGE TERMS OF IMPRISONMENT.

Iowa Additional Prison, ...2 years, 7 mos.
Illinois State Prison, ...3 years, 10 mos.
Fort Madison Prison, Iowa, ...3 years, 12 days
Ohio Penitentiary, ...3 years, 2 mos.
Mississippi Penitentiary, 4 years and 276 days, or 4 years, 7 mos. and 16 days.

Thirty-seven boys sentenced at and under the age of 16 years. Of these, two have life sentences, and the remaining 35 have an average term of 4 years and 269 days.

There are 18 boys sentenced at 15 years of age and under, who have an average term of 5 years.

There are twelve (12) boys sentenced at the age of 14 years and younger, who have an average term of 5 years and 3 months.

And there were 4 boys sentenced at the age of 13 years, with an average term of 5 years and 3 months.

These statistics are shown by the report of Penitentiary Superintendent for 1884 and 1885. At this date, January 15th, the report for 1886 and 1887, has not been published.

These statistics show the extraordinary severity of the punishment inflicted in Mississippi, long terms being one of the potent causes of a large prison population.

COMPARATIVE DEATH RATE.

MISSISSIPPI.

Year.	Average No Convicts.	Deaths	Death Rate.
1881, ...	931	97	8.48
1882, ...	819	128	15.61
1883, ...	819	89	10.86
1884, ...	787	92	11.67
1885, ...	787	76	9.64

(4). DEATH RATE AND THE PRISON POPULATION OF SIX NORTHERN PRISONS.

Prisons.	Year.	No. of Convicts.	Deaths.	Annual Rate
New Hampshire,	1886, ...	132	2	1.51 per cent.
Iowa,	1886, ...	281		1.08
Ohio,	1886, ...	1446	21	1.45
Southern Illinois,	1885, ...	669	6	0.89
Southern Illinois,	1886, ...	718	5	0.69
Illinois State Prison,	1885, ...	1548	38	2.45
Illinois State Prison,	1886, ...	1583	24	1.51
Iowa Penitentiary,	1884, ...	392	3	0.76
Iowa Penitentiary,	1885, ...	392	2	0.51

NOTE.—There has been no official report for 1886.

The above table covers a wide territory and contains an aggregate of more than five hundred convicts and must therefore exclude the presumption of exceptional conditions.

The above statistics show the bad treatment of the convicts. No epidemics or unusual causes are given as an explanation of the *extraordinary death rate of Mississippi convicts.* It is an epidemic of death rate without the epidemic.

(5). Tables Showing Death Rates Among the Convicts in Mississippi.

White Convict Death Rate.

Year.	Average No. Convicts.	Deaths.	Death Rate.
1880,	92	4	4.34
1881,	92	5	5.43
1882,	83	2	2.40
1883,	83	5	6.02
1884,	88	5	5.69
1885,	88	7	7.95
Average White Death Rate for 6 years,			5.30

Negro Convict Death Rate.

Year.	Average No. Convicts.	Deaths.	Death Rate.
1880,	843	52	6.17
1881,	843	74	8.77
1882,	735	126	17.14
1883,	735	84	11.42
1884,	698	87	12.49
1885,	698	69	9.87
Average Negro Death Rate for 6 years,			10.97

Death Rates in 1886 and 1887.

Jackson, Miss., *January 30, 1888.*

Hon. J. H. Jones, Chairman House Committee on Penitentiary:

Dear Sir: In compliance with your request I have the honor to hand you the inclosed tabulated statement of the deaths that occurred among the prisoners in the walls of the penitentiary during the two years ending December 1, 1887, which is made up in accordance with a report furnished me by John Moriarity, Dispensary Clerk. I also desire to state that there has not been a death among the prisoners here since August 20, 1887. I will add that 576 cases were treated during the year ending December 1, 1886—456 at the dispensary and 120 in the hospital. During the year ending December 1, 1887, 671 cases were treated—522 at the dispensary and 149 in the hospital.

Very respectfully yours,

Wirt Johnston.

HISTORY OF THE MEASURES SUBMITTED TO THE COMMITTEE ON ELECTIVE FRANCHISE, APPORTIONMENT, AND ELECTIONS IN THE CONSTITUTIONAL CONVENTION OF 1890.

By J. S. McNeilly.[1]

In asking for a history of "the measures submitted to the committee (of the Constitutional Convention) on elective franchise, apportionment and elections," I have assumed that the State Historical Society had in mind such "measures" as were adopted and formulated into the articles of the Constitution embracing the subjects stated. To a narrative of this nature there belongs an outline, which I shall make as brief as possible, of antecedent political causes and conditions.

The first thought of the men who directed the overthrow of carpet-bag and negro rule in 1875 was a Constitutional Convention to devise an organic law that would guard the State against any possible recurrence of that state of confusion and calamity. But as time passed and the ease of holding what had been won was experienced, apprehensions were lulled and the warning voice of the thoughtful passed unheeded. This sense of satisfaction and security, however, was fleeting and delusive—relegated to "the silence of the covered furrow," the problem incubated a brood of

[1] John S. McNeily was born in Wilkinson county, Miss., Nov. 20, 1841. His ancestors settled in Mississippi in the period of Spanish rule. His parents, William and Mary (Seymour) McNeily, were both natives of Wilkinson county. Mr. McNeilly's childhood was spent in Hinds county, Miss. At the outbreak of the war between the States he left school at Jackson, La., and joining the Confederate service, went with a company from Natchez to Pensacola, Fla. A year later he went to Virginia to join his brother, who was an officer in the 21st Mississippi regiment, with which he served during the remainder of the war. At the close of the conflict he was sergeant-major of his regiment, which was under the command of his brother. With the return of peace, Mr. McNeilly located at Woodville, Miss., where he entered upon his career as a journalist. In 1869 he removed to Greenville, Miss., and purchased the Greenville *Times*, which paper he edited a number of years. He is now connected with the Vicksburg *Herald*. He was delegate from the State at large in the Constitutional Convention of 1890. Mr. McNeily has devoted much time to the study of problems effecting the political welfare of Mississippi, and has probably written more extensively on the suffrage clause in the Constitution of 1890 than has any other man in the State.—Editor.

secondary ills quite as deadly to the Commonwealth as the monstrosity of an unrestricted negro suffrage. In the decade of 1880 to 1890 it became apparent that the "Mississippi plan" of dealing with black majorities would, unless checked, pollute the very sources of representative government. Symptoms of the diseased political condition grew so acute that the demand for suffrage restriction to effect an electorate under which there could be white supremacy through honest elections became quite imperative. The agitation for a Constitutional Convention was revived and grew very urgent. Responding to this sentiment the Legislature, in 1886, adopted a resolution calling such a Convention, which was vetoed by Governor Lowry. In 1888 another resolution was adopted, one inviting discussion of the question in the ensuing campaign for the election of a Legislature and State officers. A Constitutional Convention was therefore made a direct issue in the canvass of 1889. Ex-Governor Stone, a candidate for Governor, declared he would approve a bill for a Convention if passed. In September, Senator George, in a speech at Greenville, declared himself in favor of a Constitutional Convention, and this was followed by a counter declaration at Macon by his colleague, Senator Walthall. The question thus became a pronounced one in our State politics.

Just at this time the demand for relief from the intolerable Reconstruction status was intensified from another source. The election of Mr. Cleveland in 1884 by the Solid South and a small group of Northern States had been bitterly resented in the North, almost to the point of a repetition of the Tilden count-out. After the election Mr. Blaine delivered a speech at Augusta, Me., that literally electrified his party. Realizing that the fabric woven out of negro suffrage was crumbling away, the defeated candidate sounded the keynote of a further interposition of the Federal power into Southern political affairs. The popular response to his impassioned and powerful appeal to sectionalism was exceedingly ominous to those who looked beyond the exultations of the Democratic victory. They felt that had the Augusta speech opened and shaped the campaign of 1884 instead of closed and echoed it, the result would have been different. And that the wind then sowed would be the whirlwind of 1888. It was not permitted to lull in the interim, and the agitation on sectional lines became acute in

that year. On the issue of suppression of the negro vote. free ballot and a fair count," the national campaign was pitched and won—the Republicans declaring for more stringent laws of Federal election contest.

In January, 1889, Mr. Harrison having been elected President, this policy found expression in the Lodge force bill. Its introduction was accompanied by appearances of party favor which indicated its passage upon the assembling of the new Congress. Such an outlook gave rise to the gravest fears and most depressing forebodings of another revival of Reconstruction ills and disorders. The files of current newspaper publications will disclose the wide prevalence of such a belief. Frank Carpenter, a Washington press correspondent of national reputaton, thus related a meeting with Justice Lamar while the force bill was up for debate in the Senate:

"His bad health was not bettered by the gloomy view he takes of the South and its future. He told me he thought Mississippi would eventually be a negro State and the whites forced to emigrate; the influence of the present administration is in favor of the blacks at the expense of the whites, and the whites will not permit black rule. The outlook of the South seems as dark as can be, and what will be the future God only knows."

While this reads in the light of the present like an over-darkened reflection, it did not much exaggerate the then burthens of thought. In a published letter from a citizen of the State to one of its Congressmen, this passage, suggested by the Lodge bill, occurs:

"It is as though the hand of time were set back twenty years. If there is less of heat of passion, there is deeper and more malign intent. Sectional pacification seems drifting away."

Such apprehensions formed a potential influence for State suffrage restrictions. It was urged in Mississippi as the part of wisdom to imbed such restrictions in her organic law before the passage of a "force bill" could be effected, and the State political power again be subverted through act of Congress and military despotism.

Such were the antecedent influences that produced the Constitutional Convention and dictated its action. Succeeding the call of the Legislature, the Democratic State committee ordered a Convention to nominate the fourteen delegates at large to be elected

under the law. Like action was taken by the county committees. Nominations were effected harmoniously in the main, especially by the State Convention. In the meantime, between the passage of the act and the meeting of the Convention, there was general discussion by the State press of plans and measures. Divergencies of views were various and quite radical, so much so as to give rise to no little discouragement among promoters of the Convention and predictions from the pessimists that it would dissolve in discord and failure. The gravest obstacles were due to the differences in the social conditions and political elements of the white and black counties. In the former there was not only no correlative urgency for suffrage restrictions, but actual repugnance to any interference with the political equalities in which the white people and their fathers had been reared. In their environments the white people of the black belt had the acute sympathies of their white county brethren. There was, moreover, a profound general appreciation of the evils of the black county political disorders upon the whole State. While these influences won the assent of the white counties to a constitutional convention, there was, nevertheless, strong antipathy to suffrage acts having the effect of white disfranchisements. And the assent stated was coupled with the reservation to, as far as possible, restrict or parry such provisions as to the white voters.

When the Convention was assembled, there was a natural alignment of the delegates according to class of counties—two forces antagonistic upon methods but united in purpose. In this adverse array it was fortuitous that the 134 members were divided between the two classes with substantial numerical equality. Wisely discerning the requisites of such a situation, President Calhoon likewise selected the committee on suffrage and legislative apportionment, half from the black and half from the white counties. This made the task of agreement more arduous, but it necessitated one of common acceptability. Neither class or faction could impose its will arbitrarily upon the other. This was of the first importance—that devices of such grave import and novel character be placed in the organic law of the State by a practically united and common assent. It was with a full realization of this primal duty in the construction of a plan that the committee entered upon the long and arduous labor. The insistence of the black county dele-

gates for drastic restrictions of suffrage, and the tenacity of the white counties against radical infringement upon inherited privileges and white manhood, were met to measure strength on patriotic ground. The inspirations of a common peril commanded the two forces to fuse their antagonisms. This was no easy task. Indeed history presented no like emergency, no parallel condition, for guidance of the Convention assembled to save the State. Urged forward by a vital expediency, there stood in its pathway a cherished fundamental principle. That an agreement under such stress was ever reached—an agreement, too, that effected the great purpose sought—is conclusive testimony to the constructive talent of the leadership of the Convention and the honest and patriotic intent of its membership. The nature of the antagonism as well as the way its apparent irreconcilabilities were finally accommodated, is indicated in the following passage, wherein, many years before, John C. Calhoun was discussinig means of a harmonious legislative apportionment between the South Carolina white and black counties:

"It is more difficult to give to the government of the States this constitutional form than to the government of the United States, for the same reasons that it is more easy to form a constitutional government for a community divided into classes or orders, than for one purely popular. Artificial distinctions of every description, be they of states or estates, are more simple and strongly marked than the numerous and blended natural distinctions of a community purely popular. But difficult as it is to form such constitutional governments for the separate States,it may be effected by making the several departments, as far as it may be necessary, the organs of the more strongly marked interests of the State, from whatever causes they may have been produced; and such other devices whereby the sense of the State may be taken by its parts, and not as a whole."

The serviceableness of the theory Mr. Calhoun propounded stands revealed in our constitutional settlement of a suffrage problem for a "state of blended natural distinction" of citizens. The first step in its solution was a legislative apportionment creating a majority of white constituencies—the legal basis and bulwark of the design of white supremacy in a State with an overwhelming and a growing negro majority. That achievement would guarantee the law-making branch of government, and place the election of United States Senators above legal or partisan impeachment. The importance attached to such an apportionment will be perceived by all who give thoughtful study to the conditions and environments to be met or mitigated. With

truth it was said by the late Senator George, the chief proponent of the plan: "We might stop there with great good secured." As the first motion upon the journal of the committee, the resolution taking up the apportionment is worthy of being quoted:

> "Resolved, That it is the duty of this committee to perform its work in such a manner as to secure permanent, intelligent rule in all the departments of the State government and without doing violence to the true principles of our republican system of government; and to this end the committee, as a basis for their work, will first agree upon the legislative apportionment of the State."

The committee's resolution with the explanation given of the motive of the apportionment refute the idea, quite current once, that the partial departure from a population scale was merely to win the acceptance of the delegates of the white counties, who would, under it, be gainers in legislative representation, to the proposal for suffrage restrictions. It was, in fact, represented and believed by many to be a mere barter of power for principle. In influence and effect this was true, but only incidentally so. At the base of the proposition was a higher motive—a more vital and far-reaching purpose. The fact of a majority of white legislative constituencies was described by the late Senator George and accepted by the committee and the Convention, as "demanded by the fundamental necessity of the situation." So far as the loss and the gain of representation by the two classes of counties, respectively, was involved, he declared his "regret of the need of thus disturbing the political power in different sections of the State, and that he was willing to have these disturbances lowered as far as possible consistent with the efficiency of the plan." It was thus worked out. The shift was not materially objectionable in its extent, and no county's representation was reduced. The end was obtained by increasing the Legislature's representative branch thirteen members, with allotment of the increase to the white counties. The majority thus effected was added to by carving several legislative districts out of white sections of black counties.

Objection to the change in the apportionment was in a measure reconciled by more nearly alloting Senators on the basis of population. Opposition was further appeased by the requirement, in another article of the constitution, of a three-fifths affirmative vote to pass any revenue bill. This was sufficient, and cal-

culated, to afford ample protection against the possibility—a bare one—of any such law that would work sectional unfairness toward the black counties, proportionately the largest revenue producers. It will be recognized as having the effect of helping the apportionment fulfill the Calhoun idea of "making the several departments the organs of the more strongly marked interests of the State."

Having provided for complete and lawful security of the legislative department and incidentally of the election of United States Senators, as the basis of white supremacy, the value and advantages of the representative apportionment were then extended to the other two branches of the State government—the executive and the judiciary. This was accomplished by the adoption, in the committee of the novel "electoral plan," which was borrowed by the committee from a suffrage scheme introduced in the convention by the Hon. E. Mayes. This plan, which is contained in section 140 of the constitution, confers upon the House of Representatives the final and formal election of Governor and other State officers, according to the popular vote in the counties respectively. That is the election for these officials at the polls is determined according to county, or legislative district, majorities, instead of a State majority. The candidate receiving the highest vote of such political divisions is given the vote of its membership in the representative branch of the Legislature, sitting as an electoral body. This arrangement thus gives to the white constituencies a reserve power of elective control of all the executive offices of the State. And with the appointment of the judges vested in the Governor, the scheme for a State government upon the foundation of white electorates was made lawful, complete and secure.

The design of the legislative apportionment, with its electoral supplement, was to erect an impregnable barrier to any possible organization of the negro majority, by extraneous force or internal faction, for political dominance. They will never, in all probability, be called into operation to that end. But the wisdom of these features of our suffrage plan are to be judged in the light of a period of such extreme and bitter experiences, so hard and humiliating, that "a bond of fate" against its return was demanded. The State was yet under the shadow of Reconstruction, and confronted, moreover, by a pending force bill that directly aimed

to revive its actualities. If that bill had been passed through Congress, its operations could not have extended to the legislative apportionment; that would remain though the suffrage devices were annulled as violative of the war amendments. It was aimed to fix the source of our statehood defensible and safe in theory as well as fact—to fulfill the committee's initial resolution for "secure, permanent, intelligent rule in all the departments of the State government and without violence to the true principles of our republican system of government."

The integrity of the State government being effected through the apportionment and the electoral plan, the committee had on its hands the question of limiting the suffrage privilege. For effect upon the county governments this was to the black counties the most pressing consideration of the whole problem. The delegates from those counties generally favored an alternative educational—a reading and writing—or a property qualification. And such a provision was adopted in the committee, but voluntarily rescinded on account of the extreme opposition of the minority membership. In lieu of it the "understanding" clause was adopted—section 244 of the constitution. The suffrage was further restricted by the requirement of an unusually long local residence—two years in the State and one of the two in the election district. None who are delinquent for taxes after the first day of February can exercise the voting privilege. Registration four months prior to any election must be effected. What has proved the most effective instrumentality of negro disfranchisement is the two-dollar optional poll tax pre-requisite, which persons otherwise competent as electors may elect to pay or not according to their desire to qualify for exercise of the voting privilege. These provisions were supplemented by the further one of making registration, to close four months before any election, a condition to voting. And by ordinance a stringent form of the "Australian ballot" method was grafted on the constitutional scheme.

There was a motive in making registration by the officers of the State a qualification of suffrage that is of more importance than appears on the surface of the statement. It had been boldly claimed by leading Republican statesmen that the Federal Government not only had the power to control the registration of vo-

ters as to elections for Representatives in Congress, but also as to elections for members of State Legislatures, inasmuch as they in turn elect United States Senators. Hence it was provided in Mississippi's suffrage article that registration under the Constitution and laws of the State, by the proper officers of the State, shall be "an essential and necessary qualification to vote at any and all elections." Section 2, Article 1, of the Constitution of the United States requires that Representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. These two Constitutional provisions, when taken together, it will be seen, make it impossible for the Federal Government by its own officials to control the registration of voters.

These several suffrage requirements combined were deemed sufficient for the end in view, as they have so proved in even the blackest parts of the State. They have, as they were intended, reduced the negro majorities to a negligible political quantity. While this is true it was not claimed that Mississippi had "solved the negro problem." That is beyond governmental or mortal power—there was simply drawn as much of the blood poison as possible. The problem will abide with us for all time. If wholly disfranchised, the negro would be an evil factor in Southern politics. This would have been so had there never been a fifteenth amendment, as it was true before war and emancipation led up to that most grievous product of purblind partisanship.

Nor were the framers of the organic law of 1890 unaware that an electoral body so hedged and cramped was foreign and uncongenial to the spirit of popular liberty and representative government. Its proscriptiveness is distinctly and immedicably obnoxious to the traditional and instinctive Anglo-American sentiment of manhood rights and standards. No State legislating for that class of citizens alone would dream of imposing such shackles on their political privileges. Nothing but the imperative call for steering the ship of State away from the destruction of the black Charybdis justified risking the only lesser perils of the alternative Scylla. To particularize, the extraordinary control of the law and the law officers over the registration and qualification of voters is a facility of oligarchy, or ring sway; which is so much subtraction from pure representative, vox populi, politics. The harmful fa-

cilities were increased by the inevitable relaxation in political interest, among the best citizens, incident to the relief afforded through negro disfranchisement. The places at the front of those most responsive to demands *pro bono publico,* were quickly filled by many whose zeal was less patriotically inspired. Another secondary evil consequence was that with the negro riddance the value of the constitutional restrictions became obscured in public estimation. Measures irksome in themselves lose the sanctity of law as the vital necessities of their adoption diminish and disappear. Then there comes the demoralization of a commonly violated, a dead letter, law.

Concisely and correctly summed up, of two ills Mississippi chose the lesser. She has exchanged an organic malady for a functional disorder. The Convention substituted a desiccated for a diseased electorate. The ensuing ills of the present State are within the check and correction of the white citizens. There is presented a tax upon their virtue and vigilance that can be met openly and lawfully. Honest politics are, at least, possible—Southern civilization no longer requires evil acts to secure good government. That boon is no longer dependent upon methods that might neither be defended nor discarded. If with such a basis of statehood as our suffrage measures have established there are still election frauds and scandals, there is a representative responsiblility, a jurisdictional public conscience, to appeal to.

What of the negro—the innocent cause of the trouble, the toil and travail, it may be asked, while the practical annulment of his share in the highest privilege of citizenship was being contrived and consummated? Materially here was the one unalloyed good—he was the gainer by the removal from the distractions of a sphere for which he was neither fit nor needful. The constitution of 1890 brought rest to the plantations—the black people of the black belt are no longer within the volcanic circle of the campaign friction and collision, out of which they always came the sufferers. As to the moral effects, it is to be noted that the fact of disfranchisement was accepted by the masses of the sons of Ham without show of sorrow or sign of resentment. Suffrage had come to them unsolicited, it departed from them unregretted. As a demonstration of the negro's incapacity and unworthiness for the equipment of political equality nothing more need be

written—corroborated as the demonstration has been by the fact that the race has flocked to Mississippi since 1890 as never before.

This sketch of the efforts of the Constitutional Convention to lay the foundations for a better political structure in the State, but poorly reflects the arduous quality of its labors. It is little exaggeration to say that no deliberate body was ever set to a graver or more perplexing task—one less illumined by the lamp of precedent or parallel. In addition to the obstacles in the way of an agreement among the delegates upon a plan, as above outlined, was the momentous and underlying question of the State's right of restricting the suffrage as designed, under the war amendments to the Federal constitution. Perfect and enduring relief was not even to be hoped for—this was forbidden by the fifteenth amendment interdict against discriminations on account of color or race. But for that barrier the course suggested in the fourteenth amendment—the option of negro disfranchisement coupled with a proportionate loss of Congressional representation—would have been adopted. But dealing with a condition as it was, the end in view had to be sought on a more perplexing field—through measures that were not only indirect but held to be of questionable validity as well.

Nor was the fifteenth amendment—that evil heritage of war, a veritable Pandora's box to the South—the only lion in the Convention's pathway. There was to be reckoned with, besides, the Mississippi act of re-admission which, as a fundamental condition, interdicted the State from disturbing the suffrage settlement in the alien constitution of 1869. If that act was constitutional the State was helpless for political purgation. Hence the Convention, soon after its organization, adopted a resolution calling on the judiciary committee for a report upon the effect of the re-admission act, in limiting the right of the State to impose certain restrictions on the elective franchise. On that committee were men of the highest law learning and ability. Its chairman was Judge Wiley P. Harris, and the second name to his was that of Judge H. F. Simrall. It was felt to be absolutely safe to accept the judgment of such a body—a confidence abundantly verified by their strong and lucid report. It was emphatic in its demonstration that Congress had exceeded its constitutional powers in aiming to divest Mississippi of "an attribute inherent in her charac-

ter as an independent State." But this conclusion was capped by the ominous qualification: "That the committee did not venture to decide what Congress might do by assumed authority." It is to be noted that the Federal Supreme Court has sustained the committee as to the State's right to impose suffrage restrictions. But as to what "Congress may do by assumed authority"—this is still an unsolved question, though with the passage of the years the probabilities that Congress will so draft upon its "assumed authority" diminishes.

SUFFRAGE AND RECONSTRUCTION IN MISSISSIPPI.

By Frank Johnston.

I.—A Brief History of the Different Governments in the State from 1865 to 1890.

A history of the suffrage in the State of Mississippi involves a review of the prominent events connected with the reconstruction period after the close of the Civil War, the Fourteenth and Fifteenth Amendments to the Federal Constitution, the Reconstruction Acts of Congress, and, finally, the Constitutional Convention of 1890, which placed limitations on the elective franchise.

This forms the most interesting, novel and important period in the entire history of the State, involving, as it does, questions of statesmanship and of constitutional law unprecedented in their character, and far-reaching in their consequences in the public affairs of the Nation, as well as of the State.

Immediately after the surrender of the armies of the Southern Confederacy the State was placed under martial law. Notwithstanding this state of affairs, Governor Charles Clark, who had been elected Governor during the war, called a session of the Legislature which assembled at once in the city of Jackson. It appointed Judge William L. Sharkey and Judge William Yerger as commissioners to Washington to confer with the President in respect to the readmission of the State to the Union. It also passed a resolution calling a Constitutional Convention, and was proceeding with the work of legislation when the President directed General Camby of the United States army, then in command in the State, and acting as Military Governor, to disperse the Legislature, by force if necessary. The President had declined to recognize the legality of any State government in Mississippi organized since the year 1861. Before this order could be executed the Legislature had adjourned. Governor Clark was then arrested by the Federal authority, and sent as a political prisoner to Fort Pulaski.

Thus ended, in the most summary manner, the first attempt on the part of the people to re-establish civil government in the State.

There was then a brief period of military government, which was followed by the provisional government under Governor William L. Sharkey, who was appointed Provisional Governor of the State by the President on June 13th, 1865.

Governor Sharkey's administration of public affairs was subordinate to the authority of the Federal General then ruling the State, who was armed by the President with the autocratic powers that characterize military government, and a state of martial law. The great writ of *habeas corpus* was suspended, citizens were arrested by military orders, all controversies between a white man and a negro, or a citizen and a Federal soldier, were to be tried by military court-martial, or military commission.

The commanding General had the power to suspend at pleasure the functions of any civil officer in the State, and to forbid by military order the trial of any cause by a civil court, and to have the same determined by a military commission. White citizens were arrested, and tried and convicted, constantly, by military commissions.

The order of July 25th, 1865, of Edwin M. Stanton, Secretary of War, to General Slocum, then in command in Mississippi, shows the extent of General Slocum's authority. He was told by the Secretary of War to disregard writs of *habeas corpus,* whether granted by a State or a Federal judge, to remove civil officers at his discretion, and to arrest any civil officers who disobeyed his orders.

President Johnson at that time assumed the authority to reconstruct the Southern States, and was thus proceeding to provide a civil government for the State, and for the election of members of Congress. The only conditions prescribed by him were that the emancipation of the slaves should be confirmed by a provision of the State Constitution, and that the Ordinance of Secession should be repudiated. Upon those terms the assurance was given by the President that the State would be restored to its place in the Union.

In carrying out the President's scheme of reconstruction and under the authority of the President, Governor Sharkey called the

Constitutional Convention, which assembled at Jackson on August 14th, 1865.

That Convention declared the Ordinance of Secession of the Convention of 1861 to be null and void; and adopted a constitutional provision declaring that slavery was in fact abolished, and that it should never be reëstablished in the State.

The body was composed of the most conservative element of the State, and had among its members many of the most eminent men who have ever appeared in public life in Mississippi. Judge J. Shall Yerger was President, and Judge Amos R. Johnston was President *pro tem.*

Such men as the President and President *pro tem.*, Judge William Yerger, Judge David W. Hurst, Hon. George L. Potter, Hon. Lock E. Houston, Hon. James T. Harrison, Hon. Hampton L. Jarnigan, Hon. T. A. Marshall, and Gen. William T. Martin, and others of eminence and distinction were the leading spirits in that assembly of notable men.

At that time the opinion was wide-spread, if not universal in Mississippi, that the State would be restored to representation in Congress, upon the adoption of the constitutional provision emancipating the slaves, and the adoption of an ordinance by the Convention declaring the Ordinance of Secession to be null and void.

These reconstruction methods were proceeding exclusively under the auspices of the President, and contemplated the establishment of a permanent State government. It was supposed that Congress would recognize the restoration of the State to the Union, as thus effected, without further conditions or delays.

Looking back to that period, there was nothing to indicate that any of the leaders in the State anticipated any serious issue between Congress and the President in regard to Reconstruction. Nor were there any indications of trouble except the preliminary debates that had occurred in Congress in a general way on the subject of the Federal representation of the seceding States, and a telegram from Mr. Johnson to Governor Sharkey, sent on August 15th, 1865, the day after the Convention of 1865 had convened.

In that telegram the President expressed the hope that the Convention would confer the suffrage upon the negroes, on the basis of educational and property qualifications, as a means of foiling the policy of the radicals, who he said, were then pressing for negro suffrage.

The debates in Congress in 1864 and in 1865 on the subject of reconstruction disclosed the fact that a few Members of the House and a small group of eight or ten Senators favored negro suffrage. But this did not appear to be in any degree formidable at the time.

It was known that Mr. Lincoln had favored a limited suffrage for the negroes. At that time, however, neither the leading men of the State, nor the leaders of the Republican party anticipated the establishment of unlimited negro suffrage in the South. And true enough the first measure for reconstruction proposed in Congress, the Fourteenth Amendment, contained no conditions in respect to the suffrage, except as it related to Federal representation.

The Convention of 1865 completed its work on the assumption apparently warranted by the situation at that time, that the only conditions that would be exacted of the State would be those already fulfilled by that body, at all events those were all the conditions proposed by any Federal authority at that time.

The question of the reduction of Federal representation then in the air, might follow after the readmission of the State, but at that time it was not anticipated that this question would block the way to the restoration of the State to the Union. No serious attention was paid to that question, and the Convention adjourned under the conviction that it had accomplished its purpose in a manner that would prove acceptable to both the Executive and Legislative departments of the Federal government.

In the debates in the Constitutional Convention of 1865 on the subject of emancipation, Judge William Yerger reviewed the great events and results of the war in a masterly and statesmanlike speech, in which he demonstrated, unanswerably, that emancipation was an accomplished fact, regardless of the question of the validity of Mr. Lincoln's emancipation proclamation, and never to be reëstablished, and that every consideration demanded that the State should at once, and unconditionally, recognize emancipation as the result of the war, and prohibit slavery forever in the future in the State.

Several propositions were made in various forms in the Convention, for the emancipation of the slaves upon the condition that the State should be at once readmitted into the Union.

These suggestions Judge Yerger assailed as unwise and sui-

cidal, declaring that such a course would keep the people indefinitely under the despotism of the military government then existing in the State. He alluded to the fact that there were then extreme Republicans in the North who favored negro suffrage, and that any imprudent action on the part of the State would precipitate that issue, and strengthen them in their position.

Judge Yerger's views prevailed, and a provision was adopted by the Convention, with practical unanimity, unconditional in its character, declaring slavery to have been abolished, and forbidding that it should ever be reëstablished in the State.

The provisional government under Governor Sharkey was succeeded by the administration of Governor Benjamin G. Humphreys, who was elected on October 2, 1865, under the auspices of President Johnson's reconstruction policy.

The State officials and a Legislature elected at the same time were then regarded as constituting a permanent State government. It was confidently expected that the State would be admitted to Federal representation, and that the members of Congress elected on October 2, 1865, would be seated in Congress. These anticipations were not destined to be realized, for the functions of this government were terminated by the Reconstruction Acts passed by Congress in March, 1867, and Governor Humphreys, remaining in office by the sufferance of the military commander of the District, was on June 15th, 1868, removed from office by a military order issued by Major General McDowell, then commanding the Fourth Military District, composed of the States of Mississippi and Arkansas.

On June 15th, 1868, Brevet Major General Adelbert Ames, of the United States army, was appointed by the President Military Governor of the State, with the autocratic powers of his predecessor. He held this office until March 10th, 1870, the date of the installation of Hon. James L. Alcorn, who was elected by the people, on the ticket nominated by the Republican party in the State. This election was held on Dec. 1st, 1869, by virtue of an order of the Military Governor, issued under the provisions of the Reconstruction Acts of Congress.

On February 23rd, 1870, Congress passed an act providing for the readmission of the Senators and Representatives of the State in Congress. Governor Alcorn was then elected to the United

States Senate, and was succeeded as Governor by Lieutenant-Governor Ridgley C. Powers on Nov. 30th, 1871. Adelbert Ames was elected Governor of the State on Nov. 4th, 1873. He remained in office until his resignation on March 4th, 1876, pending a trial of impeachment against him, which followed the victory of the Democratic party, and the defeat of the Republican administration in the year 1875.

From 1875 to 1891 the Democratic party held control of public affairs in Mississippi against a negro majority of over 40,000 in the electoral body of the State.

The State was wrested from the control of the Republicans by *quasi* revolutionary methods in 1875; and this power was retained by dangerous and equivocal methods, until limitations were placed upon the suffrage by the Constitutional Convention of 1890.

In 1866 the Fourteenth Amendment to the Federal Constitution passed both branches of Congress, and in the winter of 1866-1867 was submitted to the Southern States for ratification.

The amendment was rejected by Mississippi, in common with all the other Southern States, except Tennessee, there being but thirty-three votes cast in the Legislatures of all these States in favor of its adoption. That amendment was declared ratified in the year 1868.

In March, 1867, Congress passed the Reconstruction Acts forcing negro suffrage upon the South; and in 1870 the Fifteenth Amendment to the Federal Constitution was adopted, which fixed negro suffrage upon the Nation.

From the year 1875 until the year 1890 the white men of the State had tried the practical working of unlimited negro suffrage under the auspices of a good State administration, and had exhausted every expedient in the hope of sustaining successfully a high standard in public affairs and in official life. At the latter date the Legislature called a Constitutional Convention for the purpose of placing limitations upon the suffrage.

A clear conception of the work of that Convention can be gained only by a comprehensive understanding of the condition of public affairs existing at that time in the State, which condition was brought about by the fact that the Reconstruction Acts and the Fifteenth Amendment to the Federal Constitution had fastened negro suffrage upon the State.

It is important to consider the events connected with the reconstruction period, as well as the scope and operation of the Fourteenth Amendment, and the history of that measure.

If the leading men of the State had pursued a mistaken policy in dealing with the Fourteenth Amendment, and in their unfortunate alliance with President Johnson, the later achievements of statemanship displayed in the adjustment of the elective franchise in 1890, largely atone for the mistakes of a former period.

With this outline sketch of these great events, a clear and impartial review, and analysis, can be made of these various political situations, and a correct estimate can be formed of the motives and purposes of the actors in these great historical epochs, and of the character of the statesmanship displayed, as well as the mistakes that occurred, in accomplishing the final restoration of the Union. And, finally, in view of these events, the formidable character of the problem of maintaining good government in the State with unlimited negro suffrage will be realized, and the difficulties of the task assumed by the Constitutional Convention of 1890 in dealing with the suffrage will be understood and appreciated.

II.—The Fourteenth Amendment.

In the winter of 1865-1866, Congress resumed the discussion of the question of reconstruction in the Southern States, which had been begun at a previous session in regard to reconstruction in the States of Louisiana, Arkansas and Tennessee.

From a limited area, and from a special treatment, the discussion was extended, in the most general terms, to all of the Southern States, and necessarily embraced a comprehensive plan applicable alike to all the States whose relations with the Federal government had not been restored.

The purpose is now to review the history of that Amendment, to ascertain its scope and operation as the proposed basis for reconstruction and to ascertain the motives and considerations which influenced the Republican leaders in Congress in proposing that measure, and to review, in the light of subsequent events, the action of the Southern States in refusing to ratify that Amendment.

It is deeply interesting at this time, when the passions aroused by the great Civil War have passed away and when, in the tranquility and repose of a patriotic and reunited people, past events can be reviewed with calmness and fairness, to examine the great historical events connected with this Amendment, and to draw a just conclusion in respect to the purpose and motives of its advocates; and to understand the reasons why the Southern States declined to accept the terms of reconstruction thus proposed by Congress.

It is insisted, on the one hand, that the acceptance of the Fourteenth Amendment by the Southern States would have been followed by their immediate restoration to the Union; while upon the other hand the view is entertained by Southern men that such action by the South would not have changed the course of events, and that further and additional exactions would have followed.

The criticism made by Mr. Blaine, and the Republican leaders of that time, was that the action of the South was characterized by a lack of statesmanship and sagacity, and that the attitude taken by them forced Congress to make negro suffrage the final basis of reconstruction, or at all events, that this action of the Southern States precipitated negro suffrage by arming the advocates of that measure with the argument that the men of the South, lately in rebellion against the government, were disloyal, and disaffected, and could not be relied upon to coöperate with Congress in the work of reconstruction.

A fair and critical review of the historical facts relating to this subject will disclose the merits of these questions. It was argued in the debates in the Constitutional Convention of Mississippi of 1865 in favor of the proposition to adopt a constitutional amendment emancipating the slaves upon the condition that the State should be at once readmitted into the Union, that the ulterior purpose of the Republican party was to force more exacting conditions upon the South.

An effort had been made in the preceding session of Congress to enfranchise the negroes in the Southern States, and it was to this that the President alluded in 1865, in his letter to Governor Sharkey, in which he said that the extremists in the Republican party were urgent for the enfranchisement of the negroes in the South. The views of the extremists on either side are of

little value in forming a correct estimate of the events that actually occurred, or in ascertaining the motives and purposes of the leading actors in the situations that were presented.

To say that the Republicans would have proceeded as they finally did, if the Southern States had ratified the Fourteenth Amendment, is to express a speculative opinion as to what would have been the course of events under conditions that never arose. Besides, the Fifteenth Amendment could not have been adopted without the consent of some of the Southern States.

In reviewing the events connected with the history of the Fourteenth Amendment it is of importance to ascertain the purpose of the Republican leaders in proposing that amendment, and its precise relations to the subject of Reconstruction.

If that amendment had been presented for ratification as a measure independent in itself, and having no relation to the readmission of the Southern States to representation in Congress, the action of the Southern States in declining to ratify it would not be judged from the same point of view, as if it was proposed by Congress as the basis for the restoration of the Union.

In the one case there would have been nothing to gain by its ratification, while in the other the Southern people, by its adoption, would have regained their representation in Congress without further conditions or delays. The importance, therefore, of this inquiry is apparent.

The most important and far-reaching question involved in the problem of reconstruction, according to the views entertained by the Republican leaders, was that of the Federal representation of the Southern States as affected by the Thirteenth Amendment, which was declared adopted in 1865.

Under the Federal Constitution, as originally adopted, the Southern States had representation in Congress, and in the Electoral College, based on their entire free population, and additional representation based on three-fifths of the slave population.

Upon the adoption of the Thirteenth Amendment, or speaking more accurately from a technical point of view, upon the emancipation of the slaves by the Southern States by constitutional ordinances, or amendments in 1865, the Federal representation of the South was increased from the three-fifths to the entire negro population. This representation amounted to between thirty-

five and forty members of Congress, and a corresponding strength, with two votes for each State added, in the Electoral College.

The slave representation given by the Constitution upon the formation of the Union had been greatly criticized by Northern statesmen, and was a source of jealousy on the part of the Republican leaders. It had given the South great power in national affairs.

This increased representative power, united with the votes of the Northern Democrats in Congress, would have threatened the supremacy of the Republican party. These forces united with the power and prestige of the President, who soon became an advocate of the right of the South to immediate readmission with its representation unimpaired, would have taken the administration of national affairs from the Republicans. The Republican leaders, therefore, desired, before the readmission of the Southern States, to place Federal representation on a suffrage basis, and not upon the total population, so that if the negro was not granted the suffrage, there should be no representation based upon the non-voting negro population.

They also desired to secure a constitutional guarantee for the payment of the national debt, and a liberal system of pensions for the Union soldiers and sailors. They proposed also to prevent the Southern States, or the United States, from paying the debt of the Southern Confederacy. They desired to make a limited class of citizens who were prominent in the war against the government ineligible to office until their disabilities were removed by an Act of Congress.

These objects were to be accomplished before the readmission of the Southern States, and the concurrence of enough Southern States to make three-fourths of all the States of the Union, was indispensable in the accomplishment of these purposes by an amendment to the Federal Constitution.

None of these objects could have been effected except by a constitutional amendment, and the coöperation of the South was indispensable in the enactment of these measures. If the Southern States were invited to assist in placing these measures, or provisions, in the Federal organic law, without the offer of any equivalent, then the Southern leaders would have had good reason for declining to ratify the amendment.

If, upon the other hand, the Fourteenth Amendment was proposed, with the assurance that upon its acceptance the Southern States should be restored to the Union without further conditions, then a question of policy, or statesmanship, of an essentially different character was presented.

At the first session of Congress at the close of the Civil War there was an extreme wing of the Republican party that favored the drastic measure of forcing negro suffrage on the South, but the great majority of the Republican leaders in Congress opposed negro suffrage and favored the Fourteenth Amendment, at the time when it was proposed to the South, as the basis for the restoration to the Union.

In 1864, in the discussion of the subject of reconstruction in Louisiana, Arkansas and Tennessee, the subject of negro suffrage was discussed in Congress. In 1866, in the consideration of the Fourteenth Amendment, the discussion of that subject was renewed. The terms of the Fourteenth Amendment are as follows:

First. All persons born or naturalized in the United States are citizens of the United States and of the State in which they reside, and no State shall deprive them of privileges and immunities as citizens, and they shall have the equal protection of the laws.

Second. Where the right to vote of any male inhabitants, being citizens, is denied by any State then the Federal representation of such State is to be reduced in proportion to the extent of the disfranchisement.

Third. No person shall hold any office, State or Federal, who had previously taken an oath, as a member of Congress, or as an officer of the of the United States, and who afterwards engaged in the rebellion, Congress could, however, remove such disability.

Fourth. The validity of the public debt shall never be questioned. Neither the United States nor any State shall ever assume the payment of any debt incurred in aid of the insurrection or rebellion. And no claim shall be made against the Federal government, or any State, for compensation for the emancipation of the slaves.

The isuue was then being drawn between the President and Congress, both as to the method and as to the substantial conditions of reconstruction. The President's position was, that reconstruction should be effected under the auspices of the Executive Department of the government, and that the Southern States should be readmitted upon the sole basis of the emancipation of the slaves, with their Federal representation unimpaired. Congress, on the other hand, claimed the constitutional authority to prescribe the terms of reconstruction, and insisted that the Fourteenth Amendment should be proposed to the Southern States as the condition of their restoration to the Union.

What were supposed by the Southern statesmen and by the President to be permanent State governments had been established, under the auspices of the President, in all of the Southern States, but Congress had refused to seat any of the Southern Senators or Representatives, and it appeared from the debates in Congress at that time that the Republican leaders had no thought of yielding to the President's views, or of readmitting the South without a readjustment of its Federal representation.

The divergence of the views entertained respectively by Congress and the President, were too wide for any hope of compromise or adjustment. While in Congress the practical issue between the Republican leaders who opposed the President's policy, was whether the Fourteenth Amendment should be proposed to the Southern States as the basis of restoration, or whether negro suffrage should at once be made the condition of their readmission to the Union.

The debates in Congress on the Fourteenth Amendment in 1866, which were more extended and exhaustive than the debate on any other subject that ever came before that body, show conclusively that the purpose was to propose that Amendment to the Southern States as the final basis of reconstruction, and as containing exclusively the conditions for their restoration. This is shown by the attitude taken by the President, the position taken by the great majority of the Republican leaders, who favored the Fourteenth Amendment as the basis of pacification and reunion, and the position taken by the extreme Republicans, which were as follows:

Mr. Johnson favored the readmission of the Southern States without any conditions except the emancipation of the slaves. The majority of the Republicans in Congress, under the leadership of such distinguished men as Senator Fessenden and Mr. Blaine, took the position that the South should be invited to cooperate in the work of reconstruction by the acceptance of the terms proposed by the Fourteenth Amendment.

A few Republican leaders, including Mr. Stevens, Mr. Sumner, and Mr. Morton, proposed to ignore the white men of the South altogether and make unlimited negro suffrage the basis of reconstruction. Mr. Stevens' proposition was to place the Southern States under military governments indefinitely, with no power

to extricate themselves by the establishment of civil governments, and finally, when readmitted to the Union by Congress, to be placed on the basis of unlimited negro suffrage.

Under Mr. Johnson's scheme, the Southern States having recognized by constitutional amendment the emancipation of the slaves, had fulfilled all conditions, and without further action were to be at once readmitted.

Under Mr. Stevens' extreme views the Southern people were to be ignored, while under the policy proposed by Mr. Fessenden and Mr. Blaine the Southern people were to be asked to coöperate with Congress in effecting a restoration of the Union.

Mr. Blaine in his *Twenty Years in Congress* declares that the purpose of Congress was to propose the Fourteenth Amendment to the South as the basis of reconstruction; an assurance that is verified not only by the debates in Congress, but by the attitude assumed by the parties to these issues.

By the *via media* course proposed the coöperation of the South was not only asked, and anticipated, but the concurrence of a sufficient number of the Southern States was necessary to the constitutional ratification of the amendment.

The Fourteenth Amendment passed the Thirty-ninth Congress in its second session in 1866, and became at once, in the Congressional election of that year, the controlling political issue between the Republican party and the adherents of Mr. Johnson.

The Convention of soldiers and sailors held on Sep. 25th and 26th, 1866, at Pittsburg, made a declaration of the purpose of Congress, and of the Republican party in proposing the Fourteenth Amendment to the Southern States and expressly repudiated the plan of the President. That Convention had been called to counteract the political effect of a soldiers' Convention that had been held at Cleveland on September 17, 1865, under a call from the friends of the President. The Pittsburg Convention was presided over by Gen. Jacob D. Cox, of New York, and was largely attended. It was, in the broadest sense, a representative body of the leading men of the Union army, and it spoke the sentiments of the Northern people.

Gen. Cox in his opening address said:

"We have expressed our faith that the proposition which has been made by Congress for the settlement of the difficulties of the country (the Fourteenth Amendment) is not only a wise policy, but one so truly magnani-

mous that the whole world stood in wonder that a people could, under such circumstances, be so magnanimous to those whom they have conquered.

"And when we say we are ready to stand by the decision of Congress, we only say as soldiers that we will follow the same flag and the same principles that we have followed during the war."

The resolutions adopted by the convention declared, in respect to the Fourteenth Amendment, that:

"The action of the present Congress in passing the pending Constitutional Amendment is wise, prudent, and just. That Amendment clearly defines American citizenship, and guarantees all his rights to every citizen. It places on a just and equal basis the right of representation, making the vote of a man in one State equally potent with the vote of another man in any State."

The resolutions also declared:

"It is unfortunate for the country that the propositions contained in the Fourteenth Amendment have not been received with the spirit of consideration, clemency, and fraternal feeling in which they were offered, as they are the mildest terms ever granted to subdued rebels."

Southern opposition to the Amendment had already manifested itself.

The Republican State Convention of New York, held in 1866, in its resolutions declared that the Fourteenth Amendment "commended itself by its justice, humanity and moderation to every patriotic heart."

In its resolutions the Convention made this important announcement:

"When any of the late insurgent States shall adopt that amendment, such State shall at once, by its legal representatives, be permitted to resume its place in Congress."

These resolutions expressed the general public sentiment in the North on this subject at that time. Mr. Blaine in his *Twenty Years of Congress,* on the subject of the Fourteenth Amendment having been proposed as the basis of reconstruction, and for the admission of the Southern States, says:

"There would have been opposition to it, but the weight of public influence, and the majority in both branches of Congress would have been sure to secure this result."

The Congressional elections of that year demonstrated that this measure had the approval and support of the people of the North. In the canvass of that year Mr. Johnson, at an early period in

the discussion of the question of reconstruction in Congress, had taken the position that the Southern States should be restored to the Union with their Federal representation unimpaired. Congress, on the other hand, declared itself in favor of proposing the Fourteenth Amendment as the basis of reconstruction.

Mr. Lincoln had contemplated a reconstruction of the Southern States largely under the auspices of the Executive of the government, which plan would have restored the Southern States to representation in the Union on liberal and magnanimous terms.

If Mr. Lincoln had lived his large personal and political influence, united with his tact and wisdom, might have smoothed the way to a pacification of the South. Mr. Johnson was lacking in in all those qualities, and with him the differences between the Executive and Congress, which Mr. Lincoln would have reconciled and adjusted, assumed the proportions of an open rupture.

It is well known that Mr. Lincoln differed from Congress in respect to the relative power of Congress and of the Executive on the subject of reconstruction. Mr. Lincoln was a patriot as well as a great statesman, and under his auspices it is improbable that the South would have been crushed between the two contending forces in a political war between the Congressional and Executive departments of the government.

Mr. Johnson's career was remarkable. He was a self-made man. He not only arose from an obscure origin but was illiterate until after he was a grown man.

He was a man of great natural intellectuality and force of will. In character he was crafty, and untrustworthy, and his moral nature was of a coarse fibre. His ambition was great; and his self-conceit and obstinacy were his distinguishing characteristics.

Mr. Johnson began his public career in Tennessee and though he rose to high official positions he was never recognized socially by the aristocratic class of the South.

Upon the death of Mr. Lincoln, Mr. Johnson, upon succeeding to the Presidency, expressed the most bitter sentiments against the men who had supported the Southern Confederacy. He declared that treason must be made odious, and that the leading Southern rebels must be brought to trial and punishment. His views were so extreme as to alarm the conservative leaders of the Republican party, and arouse the apprehension on their

part that an Executive policy of such extreme severity would present serious obstructions in the work of reconstruction.

From the policy of making treason odious and laying a heavy hand upon the South, Mr. Johnson soon took an opposite course. From sentiments of extreme animosity against the Southern men, Mr. Johnson soon became an ardent advocate of the cause of the South. His idea was to bring the South back into the Union with its former representation not only unimpaired but with the increased representation which followed the adoption of the Thirteenth Amendment and form, with the Southern men and the Northern Democrats, a personal party of his own.

The contemplation of this policy, the probable effect of which, if successful, would have been to place the power of the Nation in the hands of a new party in which the men lately at war with the government would be the dominating force, was intolerable to the Republicans.

Mr. Johnson, in espousing the cause of the South, opposed the ratification of the Fourteenth Amendment by the Southern States with assurances to the Southern men that the Southern States would ultimately be admitted without the loss of their representative power. The following quotation from a telegram from Mr. Johnson to Governor Parsons of Alabama gives his view on the subject:

"What possible good can be obtained by reconsidering the Constitutional Amendment? I know of none in the present posture of affairs, and I do not believe that the people of the country will sustain any set of individuals in attempts to change the whole character of our form of Government by enabling Acts or otherwise. I believe on the contrary that they will eventually uphold all those who have patriotism and courage to stand by the Constitution and who place their confidence in the people. There should be no faltering on the part of those who are honest in a determination to sustain the several co-ordinate Departments of the Government in accordance with its original design."

From the Southern point of view, backed by the power and prestige of the President, the defeat of the Fourteenth Amendment held the promise of re-admission to the Union with the Federal representation of the Southern States not only unimpaired but largely increased, and with a new power in the administration of the affairs of the Nation based upon the entire negro population of the South. Under these auspices, delusive as they now appear in the light of subsequent events, it is not remarkable

that the Southern leaders, at the outset, should have allied themselves to the political fortunes of the President.

In the Congressional elections of that year the Congressional policy of reconstruction was indorsed in the Northern States by enormous popular majorities. The Republican States gave largely increased majorities, and States that had formerly been solidly Democratic declared in favor of the Congressional basis of reconstruction.

The uncertainty of the result in the early stages of the issue between the President and his former political associates gave the Republican leaders great uneasiness. The Northern Democrats went at once to his standard, and a few Republicans in Congress, notably Mr. Raymond, Mr. Conger and Mr. Doolittle, approved his policy. The great banking and commercial interests of the North were in favor of an early adjustment of the civil affairs of the country, and of the pacification of the South.

The Republican leaders were apprehensive of the effect upon the country of the spectacle of a rupture beween their party and its President. Such an occurrence had happened but once in the history of the country, and that was when a Whig Congress had its celebrated controversy with President Tyler.

In view of these considerations the Republican leaders were slow to come to an open rupture with the President; but when it became apparent before the adjournment of Congress in the summer of 1866, that the views held respectively by Congress and the President were so antagonistic that coöperation upon any line of party policy was impracticable, they boldly announced their determination to act independently of the views of the President, and to appeal to the country in the approaching Congressional elections.

The issue in the Congressional canvass in 1866, as has been stated, was clearly drawn between the Republican party and the President; and the question was whether the Fourteenth Amendment or the President's plan should prevail as the basis of reconstruction.

The Southern men at that time had complete and undisputed possession of their State governments, established under the auspices of the President. Hon. Benjamin G. Humphreys was the Governor of the State, and a Legislature, elected in 1865, was then

in session, and nothing in the domestic condition of affairs in the State indicated the gravity of the crisis, or the profoundly critical situation with which the State was presently to be confronted. It seemed impossible for the public men in the State to appreciate the enormous importance to them of the great issue between the Republicans and the President that was then being presented to the Northern people for their determination, and which involved, in so large a measure, the destiny of the South.

The assurances given by Mr. Johnson to the Southern men that his views would finally prevail, if they would stand firmly against the Fourteenth Amendment, apparently quieted all apprehensions and lulled them into a dangerous and fictitious sense of security.

The result of these Congressional elections having demonstrated clearly that public sentiment in the North was overwhelmingly with Congress and against the President, it would seem that the Southern leaders should then have seen that the cause of the President was hopeless, and that the Congressional policy in proposing the Fourteenth Amendment to the Southern States as the basis of reconstruction had the approval of the Northern people.

There were many things, however, in the situation at that time to obscure the vision, and to deflect the judgment of the Southern leaders. The South was smarting under the humiliation that always accompanies defeat. The wealth of the South had vanished with the emancipation of the slaves, poverty was at every door; the South, in a word, was in ashes.

The Southern leaders who were ambitious, and who always loved political power, were in no frame of mind to weigh the probabilities of the situation with a nice and discriminating sagacity, and following their inclinations, they cast their political fortunes with the President who had espoused their cause.

After the Congressional elections in the North in 1866 it was not too late for them to have retraced their steps, and to have given in their adherence to the Congressional policy by ratifying the Fourteenth Amendment.

The Southern States with the single exception of Tennessee fulfilled their part in the alliance with Mr. Johnson by rejecting the Fourteenth Amendment with practical unanimity. In the Legislatures of all the Southern States, excepting the State of Ten-

nessee, only thirty-three votes were cast in favor of the Amendment. The Mississippi Legislature rejected the amendment without a single dissenting vote, as did Florida and Louisiana. It received one vote in Virginia and one in South Carolina. In Georgia two votes were cast for it. In Alabama it received ten votes, in Texas five, and in Arkansas three votes.

In reviewing these events it appears that the Republican leaders proposed the Fourteenth Amendment to the South as the basis of reconstruction. That the proposal was made in good faith at the time cannot be doubted, and the confident expectation was that the South would coöperate in the work of reconstruction by ratifying the Amendment. Nor is this view affected by the subsequent action of Congress in the adoption of the Reconstruction Acts.

Taking in view the whole situation as it stood at the time when the Fourteenth Amendment was proposed, there can be no doubt that the purpose of Congress, at that time, was to restore the Union on the terms thus proposed.

A review of the situation then presented shows that the Southern leaders did not appreciate the gravity of the issues involved, and, so far as can be seen from the action of the leaders in this State, it does not appear that they clearly understood at the time either the purpose, or the motives, of the Republican leaders. The conclusion is justified by the subsequent events, that they were largely influenced by the President, not only in their original course, but in the persistency with which they held their position.

Ignoring practical considerations of expediency, the leaders in this State dealt with the question as one of constitutional law involving the power of Congress to propose the Amendment and not as a critical juncture involving exclusively considerations of policy and diplomacy.

While it is apparent now that the statesmanship of the South was at fault in the great crisis in national affairs involved in the submission of the Fourteenth Amendment to the South as the basis of reconstruction, the explanation of the action of the Southern men in rejecting the amendment is found in two considerations. One was the firm conviction on their part that according to the logic of the Union side of the secession question the Southern States were never out of the Union, and were entitled to the

full protection of the Federal Constitution, and their belief in the declarations of Mr. Lincoln, repeated and indorsed by all of the great Republican leaders of the North, and the Crittenden Resolution adopted almost unanimously by Congress in 1861, that the war was waged to preserve the Union and not to impair or destroy the right of the seceding States as States of the American Union. Upon these convictions, in respect to the constitutional questions involved, and the rights of the Southern States under the Federal organic law, they did not perceive the significance of the situation from the Northern point of view; nor did they anticipate, as the consequence of their refusal to ratify that Amendment, that negro suffrage would be ultimately made the basis of reconstruction. Finally, it is not probable that the Southern leaders would have taken the course that they did if it had not been for the position taken by the President.

The spirit of the Southern men was not at that time one of resentment to the North, or to the Federal government. The South had surrendered and had accepted the results of the war, the emancipation of the slaves, and the principle of the indissolubility of the Union in entire good faith; and, with the high sense of honor that had always distinguished the Southern men, they were endeavoring in good faith to adapt themselves to the new and anomalous condition in which they were placed at the close of the Civil War. General Grant said in his report to the President on the state of public affairs in the South, which was submitted to Congress in a special message by the President on December 18th, 1865:

> "I am satisfied that the mass of thinking men in the South accept the present situation of affairs in good faith. The questions which have hitherto divided the people of the two sections, slavery and States' rights, the right of a State to secede from the Union, they regard as having been settled forever by the highest tribunal that man can resort to."

The Convention of 1865 had emancipated the slaves and declared that the Union was indissoluble, and it is apparent from the debates in that body that the disposition was to co-operate cordially in the work of reconstruction and pacification.

This spirit had not changed a year later to one of hostility to the government, or to a feeling of resentment against the North. It was simply a failure on the part of the Southern men to appre-

ciate the full significance of the situation in which they were placed at that time.

Thus the minds of the Republican leaders and of the Southern men never met in concord on the measures proposed, but proceeded upon widely divergent lines of action.

It will be observed that Tennessee ratified the Fourteenth Amendment and was at once restored to representation in Congress. If the other Southern States had promptly followed the lead of Tennessee, Congress would doubtless have taken the same action as in the case of that State. If events had taken that course, the Southern States being restored to the Union without negro suffrage, and on the basis of an exclusive white suffrage, the adoption of the Fifteenth Amendment would have been constitutionally impossible, and Congress would have had no power to impose further terms or conditions of reconstruction.

In concluding this subject it must be conceded that the Republican leaders proposed the Fourteenth Amendment to the South in a spirit of liberality from their point of view as the basis for the re-admission of the Southern States to the Union. On the other hand, it must be admitted that the Southern satesmen failed to perceive the critical character of the dangers that lurked in their refusal to accept the terms of pacification then proposed for their acceptance.

III.—Mississippi Declined to Ratify the Fourteenth Amendment.

The question of the ratification of the Fourteenth Amendment came before the Legislature of Mississippi at its session which began in October, 1866.

Governor Benjamin G. Humphreys, at that time Governor of the State, submitted the amendment, and the communication received by him from Mr. Seward, Secretary of State, in a special message to the Legislature, in which he took strong ground against the measure, and advised the Legislature, urgently, to decline to ratify it.

The amendment was referred to the joint standing committee of the Senate and House on State and Federal Relations, and a report was submitted by Hon. H. F. Simrall, acting chairman of

the committee, to the House against the ratification of the amendment. Hon. James L. Alcorn was a member of this committee, and favored the ratification of the amendment, although the journal of the House, of which he was a member, does not show what position he assumed as a member of the committee upon the question. At a later period Governor Alcorn publicly advocated the ratification of the amendment and made a speech at Jackson and other points in which he made a powerful argument in support of this view of the situation. Judge Simrall was a lawyer of great ability and was afterwards Chief Justice of the Supreme Court of the State. The report of the committee proceeded upon four distinct grounds of objection to the Amendment, viz:

> The Amendment gave the Federal Government large and undefined power over the domestic affairs of the States.
>
> It presented the alternatives of negro suffrage or the reduction of the representative power of the State in Congress and in the Electoral College. It disqualified a large and useful class of citizens from holding office.
>
> The amendment was not passed by two-thirds of the members of the House and the Senate of all States of the Union, and on this ground it was not constitutionally proposed by Congress.

Upon the latter ground the report contains an elaborate presentation of the constitutional question whether Congress could exclude the Southern States from representation, and at the same time propose changes in the Federal Constitution.

Mr. Lincoln's proclamation, and the various acts of Congress passed during the war operating upon the Southern States in terms, were cited in support of the proposition that the seceding States were never out of the Union. The report on this subject contains the following:

> "If Mississippi is not now entitled to every benefit of the Constitution, to all of the rights of a State in the Union as completely as New York and Indiana, then the Constitution has not been maintained, and the Union has not been preserved.....To deny to the State representation, and especially to withhold from her a voice in Congress on changes proposed to the organic law practically affecting her, and at the same time to levy on her people direct taxes, which can only be apportioned on the representatve basis, and all other burdens of government, is to hold the State and people under the disabilities of conquered territory.....The assumption that twenty-five States can govern the other eleven in a mode different from that prescribed in the Constitution is nothing more or less than a subversion of the Constitution and the Union created by it."

The report contains no suggestion of the apprehension that upon the ratification of the Amendment by the State, that other

exactions would be made by Congress, nor does it appear that any consideration was given to the debates in Congress on the passage of the Amendment showing the urgent demands of the extreme Republicans for negro suffrage, or of the expediency of accepting the Amendment as the basis for the restoration to the Union. Nor did the committee consider the gravity of the claim then asserted by Congress against the President, of its exclusive authority to prescribe the terms of reconstruction.

The objections were, in a word, that the measure was unpalatable and unconstitutional in the estimation of the Legislature. The real and vital question presented was not one of constitutional law, which was theoretical and academic, but it was one of policy and of practical statesmanship in view of the actual situation in which the State then stood.

The committee, and the able and learned gentleman who was its acting chairman, failed to consider the practical question that Congress, being the exclusive judge of the qualifications of its members, could continue to exclude the Southern members from representation; or the other practical and vital question, that under the clause of the Federal Constitution requiring the Federal government to guarantee to each State a republican form of government, it was for Congress to prescribe the terms of reconstruction.

The committee failed to realize that the whole question of reconstruction was thus political and not judicial in its character; that it was for Congress to decide what constituted a republican State government, and that the whole question lay beyond the jurisdiction and authority of the Federal Judiciary.

It was, therefore, a question exclusively for the determination of Congress, and the report stands in the nature of a plea to the jurisdiction of a tribunal that had already declared its authority; and that was at that time asserting and exercising the powers which the committee insisted had no constitutional existence.

It is thus seen that the report of the committee, and the action of the Legislature, proceeded upon a line of thought which was aside from the real questions and considerations involved in that critical situation.

That action was obviously due in the first instance to the course taken at the suggestion of the President, and it was also largely

due to the conviction, which would not yield to other considerations, that the State was then entitled to Federal representation as an abstract proposition of constitutional law without any further delays or conditions.

A further explanation of the action of the leaders in Mississippi is that the basis of their action was their reliance that the Fourteenth Amendment had not been proposed in the manner required by the Constitution, and that the Southern States, for all purposes, were to be treated as in the Union, with all of their constitutional rights and powers unimpaired, one of which was the increased Federal representation under the operation of the Thirteenth Amendment.

The Republican leaders, on the other hand, armed with all the power of the Nation, were determined to adjust that representation on the basis of the suffrage.

The Southern leaders regarded the disqualification for holding office imposed upon a class of citizens in the South as unjust if not humiliating, while the Republicans regarded the entire Amendment proposed, not only as fair and just, but magnanimous in its terms. The South could see no justification for any disqualifying conditions for re-admission to the Union, while the North saw no injustice in disqualifying the designated class from holding office until their disqualifications were removed by Congress.

This class of citizens had been foremost in the secession of the Southern States, and in the war, and the view that prevailed in the North was that there was no lack of magnanimity in proposing this condition for re-admission to the Union.

It was said that there was to be no confiscations of property, no punishment of the Southern men for their participation in the war, but general amnesty and pardon for all. The Northern conception of the situation, in a word, was that, in view of the mighty struggle that had just been closed for the life and existence of the Union, the terms proposed by the Fourteenth Amendment were unprecedented for their fairness and moderation.

Every other consideration was excluded from the Southern point of view by the conviction on the part of the Southern men that the Union was to be restored according to their conception of the constitutional law of the subject without any conditions.

The North stood confronted with the formidable fact that the representative power of the South had been largely increased, and with the further fact of the inability of the Northern States to change this by a constitutional amendment without the consent of a sufficient number of the Southern States.

Congress, therefore, according to the Constitutional requirements, in accomplishing this purpose framed the Fourteenth Amendment and proposed it to the South as the basis for the re-adjustment of representation, and for the re-admission of the Southern States.

The Southern leaders saw in the ratfication of the Amendment the loss of nearly half of the representative power of the South as it then stood under the Constitution, and were not inclined to yield under the spur of an occasion the gravity of which was not apparent to them at the time. They felt that a concession of this Federal power was not to be lightly made in a situation that did not disclose the consequences of the rejection of the terms proposed.

It is singular that the Southern men should have accepted so implicitly the assurances of Mr. Johnson, and of the Democrats of the North, and should have failed to interpret correctly the meaning of the Congressional elections in the North in 1866. And yet it may be said that Mr. Johnson held all of the power of the Executive department of the government, and he had at his back the Democratic party of the North as well as some Republicans.

Important events crowded upon each other at that time with startling rapidity. Besides this the State governments of the South, established under the auspices of the President, were in the hands of the Southern men who were then using their power in State affairs without any check or dissent from Congress.

Besides these considerations many of the Northern States had exclusive white suffrage, and in view of this it was not anticipated by the Southern men, at that time, that Congress would upon the rejection of the Fourteenth Amendment force negro suffrage upon the whole country. And yet that was the counter proposition urged against the Fourteenth Amendment that was proposed and advocated by the extreme Republicans in the Thirty-ninth Congress led by Mr. Thaddeus Stevens in the House, and by Mr. Charles Sumner in the Senate. On the other hand, the de-

bates in Congress showed that the majority of the Republicans in Congress had defeated the extreme measures advocated by a radical minority on the proposition to make the Fourteenth Amendment the basis of reconstruction. This fact was of great significance. It logically implied that the extreme Republican leaders would not recede from their position upon the defeat of that Amendment by the Southern States.

The Southern leaders would have displayed a lofty statesmanship if they had placed the South in accord with the public sentiment of the North on the subject of reconstruction by accepting the terms proposed by the Fourteenth Amendment. The South would thus have been spared the ordeal of fire that it passed through in the throes of reconstrction upon the basis of negro suffrage. If a different course had been pursued it would have been spared the humiliations and convulsions of the body politic, and all of the degradations and oppressions that characterized the reconstruction period. Before passing frcm this subject it is of interest to compare the peculiar positions occupied at that period by the Republican party and the secessionists of the South in regard to reconstruction.

The Republican leaders, with the exception of Mr. Stevens, accepted the constitutional theory of the Union so clearly and forcibly enunciated by Mr. Lincoln, that the Union was indissoluble, that no State had the constitutional right of secession, and that the ordinances of secession were null and void. As a consequence, the seceding States in their sovereign capacity had remained throughout as States in the Union. The men of the secession school of thought believed that each State had the constitutional right to secede, that the ordinances of secession were valid, and that as a matter of constitutional law the seceding States were out of the Union, and the Southern Confederacy was therefore a *de jure* as well as a *de facto* government. This view left the Southern States without any rights under the Federal Constitution, as it gave the South the *status* of a conquered territory.

The insistence of the Southern leaders after the Civil War was that as the Union view had prevailed the Republican party should be held to the logic of its position, and that Congress accordingly could not constitutionally propose the Fourteenth Amendment to the Southern States that were denied representation in that body.

The precise contention of Judge Simrall, in the report of the joint committee, was that it was beyond the powers of Congress to propose that Amendment. The mistake was throughout in treating the subject of reconstruction as purely one of constitutional law, instead of accepting it as one of actual conditions involving a situation in which Congress held the supreme power of the land. The situation at the time correctly analyzed indicated that upon the refusal of the Southern States to ratify the Amendment, the advocates of negro suffrage would at once bring forward that measure again in Congress.

The Fourteenth Amendment was the alternative adopted in the first instance by Congress as against the plan of re-establishing State governments in the South on the basis of negro suffrage. The purpose of Mr. Fessenden, Mr. Blaine, and the conservative leaders of the Republican party was to have the co-operation of the Southern men in fixing the basis of reconstruction, while the extreme Republicans proposed to ignore the white men of the South and dictate the terms of re-admission.

There may be regret that the destiny of the South could not have been shaped upon different lines from those pursued by the Southern leaders, but there can be no censure placed upon their motives, and no just criticism can be made of their good faith.

In the novelty and complications of that period it was difficult to form a calm and unbiased view of the actual logic of the situation, and to recognize in its full significance the fact that the Republicans in Congress were the masters of the situation. And so, unfortunately for the country, and especially for the South, a great opportunity was lost.

IV.—The Events Attending the Reconstruction Acts.

The rejection of the Fourteenth Amendment by the Southern States was a surprise to the Republicans of the North. This action opened again the whole question of reconstruction, and the subject was at once taken up at its first session by the Fortieth Congress.

In the second session of the Thirty-ninth Congress there had been a determined effort made to force negro suffrage upon the South, which measure had been defeated by a majority of the Republicans, led by Mr. Blaine in the House, by their advocacy of the Fourteenth Amendment as the basis of reconstruction.

The whole question of reconstruction was taken up by the Fortieth Congress *de novo* in view of the attitude assumed by the Southern States in declining to ratify the Fourteenth Amendment. Armed with the refusal of the South to accept the proffered terms, Mr. Stevens in the House, and Mr. Sumner in the Senate, renewed their efforts to secure negro suffrage as the basis upon which the Southern States were to be re-admitted to representation in Congress. A great change had taken place in the views of the Republican leaders in Congress on the subject of reconstruction after the refusal of the Southern States to ratify this Amendment.

The Northern Republicans had signally defeated the Presidential policy and had discredited Mr. Johnson before the whole country, and having secured a two-thirds majority in both the Senate and the House, they could legislate independently of the Executive veto. With all the great powers of the Nation in their hands they could have well afforded to be just to the South if they were no longer inclined to deal with the subject of reconstruction in a spirit of magnanimity. The arguments used in favor of negro suffrage was that the men of the South, lately in arms against the government, were recalcitrant, and disloyal, and could not be trusted with the powers of government, and that the negroes were loyal to the government, and that they, with the loyal white men of the South, would form a safe electoral body upon which to form the new State governments in the Southern States. There were grave apprehensions then expressed of restoring the Southern men to power in the administration of national affairs with increased representation.

The Fourteenth Amendment had not been ratified by the requisite number of States, and was not at that time a part of the Federal Constitution.

The Southern States were powerless at the time, and their acquiescence in, or rejection of, any plan of reconstruction adopted by the Republicans, could not have affected the question of the justness, or the magnanimity, of the measures that were to constitute the final basis for reconstruction.

If, therefore, it was in accordance with the requirements of the situation, and the demands of statesmanship, that the Fourteenth Amendment should have been proposed for the acceptance of the

South, as the safe basis of reconstruction, it is difficult to perceive any just reason why Congress should not have stood by the measure and enforced its acceptance by the South as the final terms for the readmission of the Southern States.

The Northern Republicans, however, after the refusal of the Southern States to ratify the Fourteenth Amendment, were confronted with a question which deserves consideration in this connection.

The view of the Republican leaders on the qustion of secession, with but few exceptions, was that the Union was indissoluble, and as no State had the constitutional right to withdraw from the Union, the ordinances of secession were absolutely null and void. As a consequence of this theory the seceding States were never out of the Union, but their relations with the Federal government were simply broken temporarily by their attempted act of secession.

The question arose in Congress whether it was necessary for three-fourths of all the States, including the seceding States, to ratify an amendment to the Federal Constitution to secure its constitutional adoption. The view which prevailed was that such was the constitutional requirement.

The consent, therefore, of a sufficient number of the Southern States to make the requisite three-fourths of all the States was indispensable to the adoption of the Amendment. The action of the Southern States in ratifying the Thirteenth Amendment had been accepted by Congress as legal in all respects, and their consent was deemed to be essential to the constitutional adoption of that Amendment. Hence the consent of a sufficient number of Southern States to make the requisite three-fourths of all the States, was necessary for the adoption of the Fourteenth Amendment.

The Republican party had determined that in no event were the Southern States to retain their representation based on a non-voting negro population. The Republican leaders were determined also to secure the safety of the public debt, and pensions for the Union soldiers, to provide against the payment of the war debts of the Southern States, and also to prevent temporarily the classes of white voters enumerated in the Fourteenth Amendment from holding office.

These objects could only be effected by a constitutional amendment and the Southern States showed no disposition to retrace their steps and accept the Fourteenth Amendment.

This situation, unquestionably, presented a dilemma. To admit the South, with its representation largely increased by the emancipation of the slaves, was never seriously considered by the Republican leaders. The alternative of negro suffrage as the basis for the State governments to be established in the South was the only measure that was in fact considered by them for accomplishing this object.

If the Fourteenth Amendment had been a just and fair basis for the restoration of the Southern States, then Congress could have so declared, and could have enforced its mandate, by placing those States under military rule until they complied with these conditions for readmission. Or, as suggested by Mr. Lincoln during the war, in the case of Louisiana, a class of white voters in the Southern States could have been selected as a basis for effecting reconstruction who would have favored the readmission of the State on the conditions of that Amendment.

The class of men who composed the Convention of 1865, if intrusted with this power, would have displayed a conservative spirit. The most conservative men of the State were brought forward for the work of that Convention. They were of the class who had opposed secession in 1860.

There were few, if any, men in that Convention of the secession school of thought. Its leading men were among the most eminent and distinguished in the State. That Convention had fulfilled all of the conditions imposed by the President. Each delegate in that Convention, and each voter in the election at which they were selected, had taken an oath to support the Federal Constitution and the proclamations of the President, in respect to the emancipation of the slaves.

With this class of men in control of the situation in Mississippi, terms of adjustment could have been reached.

As a matter of constitutional law, the Southern States in refusing to ratify the Fourteenth Amendment, did not limit Congress, in dealing with the Southern States, to the alternative of making negro suffrage the basis of readmission. Such a contention cannot be maintained. If the Southern States had been

placed under martial law, with the sole condition that they should be readmitted upon their ratification of that Amendment, it would ultimately have been ratified by every one of the Southern States.

There was another important feature connected with this period which should not be overlooked. The Legislature that assembled in October, 1865, in common with the other seceding Southern States, passed a series of acts applicable to the recently emancipated slaves, which were of a repressive character. While the motive for this legislation was not one of unfriendliness to the negro, the effects of these enactments placed him under many exactions and restrictions in respect to his personal and civil rights. The best public opinion in the State did not approve of this legislation at the time, and these statutes were materially modified by the Legislature at its session of 1866-1867. This legislation attracted widespread attention throughout the North, and played a conspicuous part in the debates in Congress on the Reconstruction Acts, and they were effectively used as an argument in favor of giving the elective franchise to the negroes, as was claimed, for their protection against the oppressions of the white race.

It will be observed that the negroes had been emancipated at the close of the war. With the sudden emergence of four millions of homeless and penniless slaves from a state of slavery to one of freedom, it was felt that such a radical upheaval required repressive measures for the safety of society. In this is to be found the motive of that legislation, whatever may have been its injustice to the freedmen in its practical operation.

It is perfectly fair to say, in vindication of the motives of the Southern men in enacting those laws immediately after the close of the Civil War, that they followed the precedents of the Northern people in their legislation of a similar character, upon the emancipation of their slaves. Every State north of the Ohio river, except two or three New England States, upon emancipating their slaves had enacted laws of a similar character, some of which were more drastic than the Mississippi laws of 1865. Many of those laws of the Northern States were afterwards modified or repealed. The Mississippi statutes of 1865 were likewise greatly modified by the Legislature at the next session after their adoption.

The motives of the Mississippi legislators in the enactment of

those laws, or the propriety of their action, are not to be judged in the light of subsequent events, but according to the actual situation then existing. Public affairs were then in a chaotic and transitional state. The labor of the State was disorganized, and vagabondage, idleness, and disorders, it was feared, would follow the emancipation of the slaves, unless repressive measures were put in force. Similar views were entertained by the Northern people, upon the emancipation of their slaves, and certainly no sinister motives were ever attributed to them.

Aside, however, from the question of either the motives of the Mississippi Legislature, or the propriety of its action in this respect, the argument made in Congress that this action logically demanded unlimited negro suffrage, however potent it may have proved in the debates on the Reconstruction Acts, should not have influenced or hurried the Republicans in Congress into the course that was adopted by them.

It was the civil rights of the negroes that were affected by this legislation of the Southern States. It will be observed that Congress passed a bill in 1866 conferring civil rights upon the negroes, and securing those rights by heavy penalties against any violations of them. The bill was vetoed by the President but was passed by Congress over the executive veto, and became the paramount law of the land, and swept away the entire State legislation on the subject.

Another event may be considered in this connection which illustrates the failure of the Southern leaders to fully appreciate the exigencies of the situation at that time. The Thirteenth Amendment to the Federal Constitution abolishing slavery had been submitted by Congress to the Mississippi Legislature at its session in the fall of 1865. The State Convention of 1865 had adopted a constitutional provision abolishing slavery. But this still left the entire subject of slavery within the control of the State. The purpose of the Thirteenth Amendment was to take away the power of a State to reëstablish slavery, and to give Congress the power of enforcing the Amendment by appropriate legislation.

Governor Humphreys recommended the ratification of the first section of the Amendment on the ground that it would forever prevent the State from reëstablishing the institution of slavery, and would allay all apprehensions on that subject. But he ad-

vised the rejection of the second section of the Amendment for the reason that it would give too much power to Congress over the domestic concerns of the State.

The joint committee of the Senate and House on State and Federal Relations, to which the amendment was referred, reported unanimously against its adoption. Hon. H. F. Simrall submitted the report of the committee.

The report proceeded upon the ground that as slavery in the State having already been abolished by the Constitutional Convention of 1865, it was an accomplished fact, and the adoption of the Thirteenth Amendment to the Federal Constitution was unnecessary, and could have no practical operation in the State, and that under no circumstances could the freedmen be again enslaved. This was true in fact, but it was a singularly erroneous view of the constitutional law of the subject.

The objection made to the second section of the amendment, which provided that Congress should have the power to enforce the terms of the amendment by "appropriate legislation," was that it gave too much power to Congress, that the term "appropriate legislation," was too indefinite and would be construed to include the power of legislating in respect to the local and domestic affairs of the State.

Upon this ground the House of Representatives adopted the report of the committee by a vote of 43 yeas to 25 nays, and thus the Amendment was rejected. It does not appear that the Senate took any action on the measure. In speaking of the negro question, it is curious to note the following language of the report of the committee:

> "It is the anxious desire of the people of Mississippi to withdraw the negro from National and State politics, to quiet forever all subjects and questions connected with it, and as far as forecast and precaution can do so, to forestall and prevent the outbreak of agitation hereafter."

Upon a retrospective view of the action of the Mississippi Legislature in its legislation against the civil rights of the negroes, and the rejecton of the Thirteenth Amendment, it is now evident that the leading men in the State, at that time, failed to perceive that the civil status of the freedmen emancipated by Federal authority was not to be circumscribed within the limits of a local and domestic question.

Hon. Samuel S. Cox, in his *Three Decades of Federal Legislation,* speaking of the action of the Mississippi Legislature of 1865, in regard to the negroes, says:

> "It is surprising that the intelligent men of Mississippi could have persuaded themselves, after the terrible experiences through which they had passed that the triumphant North, now thoroughly imbued with the anti-slavery sentiment would for a moment tolerate this new slave code."

This statement is true, as developed by subsequent events, but looking at the situation as it was then presented, the Southern men simply followed the precedents of the legislation in the Northern States.

The Northern States had legislated in the same manner upon the emancipation of their slaves, but this was no answer, from the Republican point of view, to the criticism that the purpose of the Southern Legislatures was to oppress the negroes.

The history of the legislation not only of every Northern State upon the emancipation of their slaves, but the history of emancipation in all the colonial possessions of England, and of the European powers, shows that the universal judgment of the civilized world at these various periods of emancipation was that the sudden emancipation of large slave populations required repressive legislation, certainly for a time, to guard against vagabondage, social disorders, crime and the demoralization of labor.

The "New Slave Code," as it is termed by Mr. Cox, had already been greatly modified by subsequent State legislation, and moreover it had been abrogated by the Civil Rights Bill, which was ample in its provisions, and in its remedial machinery, for the protection of the civil rights of the negroes.

It may be safely left to the impartial verdict of history whether the negro rule that was imposed upon the South would have been justified if the Southern people in that legislation had in fact been prompted by the motive that was attributed to them. It was not necessary for the protection of the negroes that they should have been placed politically above the white race, and installed in political power in the Southern States, as was done under the auspices of the reconstructed governments. Nothing that the Southern people had done justified the punishment of placing them under the negro and alien governments that were established in the Southern States under the Reconstruction Acts.

Nothing that they could have done would have justified the establishment of such governments over them.

In securing the rights of the negroes it was not necessary that the white men of the South should have been placed for years in a condition of political servitude to their former slaves. Whatever may have been the mistakes, or the deficiencies, of the Southern men, there was neither justification nor excuse for forcing unlimited negro suffrage upon the South. This will be the impartial verdict of history.

V.—The Reconstruction Acts.

The Reconstruction Acts passed at the first session of the Fortieth Congress were of such vast importance in their effects, and so unprecedented in their character, that it is deeply interesting to notice the events connected with their enactment.

The original bill, as it passed the House, established military governments in the South dividing the Southern States into five military districts, and assigning to each of them a Federal officer not under the rank of a Brigadier General. It contained no provision by which the Southern States could regain their representation in the Federal government, or establish civil governments.

Mr. Blaine had offered an amendment in the House known as the "Blaine Amendment," providing, in effect, that upon the selection of delegates to a State Convention by an election at wnich negroes should be allowed to vote, and by the adoption of a State Constitution which should allow negroes to vote, and the establishment of a State government which should meet the approval of Congress, there should be a restoration to representation in Congress.

It also provided for the ratification of the Fourteenth Amendment. Mr. Stevens refused to accept this amendment, and declined to allow the rules to be suspended so that a vote might be taekn upon the question of its adoption. Accordingly the bill passed without the proposed amendment. Mr. Reverdy Johnson, of Maryland, offered an amendment in the Senate similar to the "Blaine Amendment" which was afterwards withdrawn in favor of a substitute for the whole bill proposed by Mr. Sherman. The fifth section of this substitute bill contained, in effect, the "Blaine

Amendment," and in that shape it passed the Senate and went to the House. After a long debate, the advocates of the amendment, consisting of many Republicans of the more conservative type, under the leadership of Mr. Blaine, succeeded in securing the passage of the bill in the form in which it had passed the Senate.

Mr. Stevens, the Republican leader in the House, frankly declared that he was in favor of putting the Southern States under military governments, and of keeping them under military governors indefinitely, until such time as Congress should be convinced of their loyalty to the government. He also declared with extraordinary candor, on the floor of the House, that the purpose of giving the suffrage to the negroes in the South was to secure the ascendancy of the Republican party. Mr. Stevens contended that the Southern men had forfeited all of their constitutional rights under the Federal government, that they had severed their connection with the Union, and that the South should be held as conquered territory. Curiously enough this was the logical result of the theory of the constitutional right of secession. The great majority of the Republican leaders, however, held the constitutional theory maintained by Mr. Lincoln, that a State did not have the constitutional right of secession, and that such an act was unconstitutional and void, and could not have the effect of taking the State out of the Union.

This view was afterwards judicially announced by the Supreme Court in the celebrated case of Texas *vs.* White.

The Republican leaders held the doctrine that the relations between the States in rebellion and the Union were temporarily broken, and that it was the duty of Congress, under the guaranty clause of the Constitution, to restore those relations by reëstablishing loyal State governments in the Southern States, and by effecting the restoration of their representation in Congress.

The debates upon the reconstruction measures proceeded upon the two propositions, that the white men of the South could not be safely trusted with power, and that the duty of the Federal government was to arm the negro with the ballot for his own protection against the aggressions of the white race of the South. Behind all of these arguments lay the partisan purpose, so boldly announced by the great Republican leader, of fortifying the Republican party in power by establishing negro suffrage in the

Southern States, and pervading the discussion was an expression of a sentiment of resentment against Southern men.

The unprecedented political war between Congress and the President, and the indignation aroused among the Republicans by the alliance of Mr. Johnson with the Southern men and the Northern Democrats, and the serious apprehensions entertained by them of this remarkable poitical combination, if the Southern men were restored at that time to power in the Union, explain the temper in which the reconstruction measures were carried through.

The Republican leaders were in no frame of mind to measure fairly and intelligently the consequences of establishing State governments in the Southern States based upon negro constituencies composed of the recently emancipated slaves.

Nowhere in the debates of the Republicans in the House, or in the Senate, appeared the suggestion that the logical effect of this legislation, if the measures adopted proved effectual, would be negro domination in each of the Southern States that had a large negro majority. The immediate logical consequences of giving the negro this enormous political power, or the attitude in which it would place the two races, were not considered in that long discussion.

As men of the same race as their brethren of the South, they did not consider the latter as potent factors in this extraordinary scheme, nor did they consider the important question whether governments of this character could sustain themselves, or receive the submission of a race of men characterized by the highest courage and pride, and inspired by an invincible spirit of liberty and independence.

Everything, in these discussions, began and ended with a plea for the rights of the newly emancipated slaves and for the interests of the Republican party. The logical and inevitable consequences of placing the ballot, without limitations or qualifications, in the hands of the great mass of ignorant and illiterate negroes, were unfortunately not considered. The higher considerations of statesmanship, and the real welfare of the negro race, had no place in the enactment of these measures. Mr. Stevens, the great leader of the Republican party in the House, in the debate upon the Reconstruction Acts, declared with extraordinary candor, that the motive and purpose in passing that measure was that it would

"insure the ascendancy of the Republican party in the nation." Mr. Stevens, after avowing the purpose of those enactments, said:

> "I am for negro suffrage in every Southern State. If it be just it should not be denied; if it be necessary it should be adopted; if it be a punishment to traitors, they deserve it."

General Garfield, then a member of Congress from Ohio and afterwards President of the United States, declared in the same debate that it was necessary for the political preservation of the life of the Republican party to give the negroes the suffrage in the South.

The utterance of these great Republican leaders must be accepted as authoritative and final.

Mr. Blaine, in his *Twenty Years in Congress,* takes the ground that the action of the South in rejecting the Fourteenth Amendment forced the Republican party into the adoption of negro suffrage. He says that it forced Congress to the choice of one of three alternatives:

> *First.* The Presidential plan, which contained no conditions whatever.
> *Second.* Mr. Stevens' plan, which was an indefinite military government with martial law, for the Southern States, with no means of self-extrication.
> *Third.* Negro suffrage in the South as the basis of reconstruction, and the necessary prerequisite of securing the ratification of the Fourteenth Amendment to the Federal Constitution.

With all respect for the opinion of Mr. Blaine, on a question of the constitutional powers of Congress, upon a review of that situation it is evident that there were two other, and additional, alternatives which were not considered, or discussed, in the debates on the question of reconstruction.

One was to select a class of voters in the South, as the basis for reconstruction, whose devotion to the Union would insure the ratification of the Fourteenth Amendment. That could readily have been done. An oath could have been prescribed by Congress as a condition or qualification for the suffrage in voting for delegates to State Constitutional Conventions, and for the delegates to such conventions that would necessarily have secured the adoption of the Fourteenth Amendment. In the case of the emancipation of the slaves by an amendment to the State Constitution, an oath was taken by every elector in Mississippi, who voted for delegates to the Constitutional Convention of 1865, to

support the Constitution of the United States, and the Proclamations of the President, and the laws in respect to emancipation, and the same oath was taken by every delegate in that Convention.

Upon the organization of that Convention, therefore, every delegate was under the most solemn obligation to stand by Mr. Lincoln's proclamation and to enact a constitutional provision legally binding him to favor the terms of the Fourteenth Amendment as the basis of reconstruction. And a similar oath could have been required of each delegate to the Convention. That plan would have insured the adoption of the Fourteenth Amendment, as a similar scheme had rendered any objection to the emancipation of the negroes impossible by the Southern States.

A second, but a harsher measure, would have been to place the Southern States under military government and martial law until they were willing to ratify the Fourteenth Amendment. Congress, in fact, placed the Southern States under military governments subject to two conditions, that they should ratify the Fourteenth Amendment and adopt negro suffrage. Congress could have placed those States under military government subject to the one condition of the ratification of that Amendment.

It will thus be seen that the action of the Southern States did not force the adoption of negro suffrage upon the Republican party, as the only available constitutional basis or method of reconstruction. The constitutional powers of Congress were ample to have effected the restoration of the Union finally upon the basis of the Fourteenth Amendment, by either one of those two methods.

The action of the State of Mississippi in the legislation that has already been referred to, and the similar action of the other Southern States, that came within the operation of the Reconstruction Acts, were used with great effect in Congress by the advocates of negro suffrage in the consideration of the Reconstruction Acts.

Mr. Blaine, in his *Twenty Years in Congress,* states that the arguments made upon this action of the Southern men, by the advocates of negro suffrage had great weight in Congress in the determination of that question.

Upon the subject of this legislation S. S. Cox says in his *Three Decades in Congress*:

"It was owing to this sort of legislation in the Southern States that Mr. Johnson's policy of conciliation was defeated. It gave plausible reasons for the despotic military rule desired by Thadeus Stevens and his partisans.

"It was cited as proof to the Northern people that there was no sincere purpose on the part of the South to acquiesce in the freedom of their former slaves. It caused the doubting and hesitating Republicans to overcome their constitutional views, and to decide for immediate negro suffrage as a political necessity."

It will be observed that when Congress formulated the Fourteenth Amendment in 1866 that legislation of the State was in force. It appears, however, in the debates in respect to that measure, from the views expressed by the advocates of the Fourteenth Amendment, that the expectation was that under the inducement held out of the increased Federal representation, the Southern States would extend a limited suffrage to the negroes.

At the time of the adoption of the Reconstruction Acts the most drastic legislation on the subject of the freedmen had been repealed by the Legislature of Mississippi, a fact that does not appear in the debates in Congress on the subject of those reconstruction measures. Nor does it appear that attention was called to the historical fact that similar legislation had been adopted by each of the Northern States upon the emancipation of its slaves.

This legislation of the Southern States cannot have furnished the motive for the Reconstruction Acts, although it was used as a potent argument for the adoption of those measures.

The question of slavery had stood between the North and the South as a great sectional issue almost from the formation of the government, and now it came to the front in a new and formidable shape, threatening to become again a menace to the tranquility and repose of the country.

The reconstruction measure passed both branches of Congress and went to the President for his approval. Mr. Johnson returned the bill with his veto in a message in which he arrayed with great force and clearness the objections to the various drastic and unprecedented provisions of the measure.

The President declared that the measure, correctly construed, allowed the punishment of persons accused of crime by order of the general commanding the military district without a trial of any kind. The extraordinary and unprecedented power was given to the commanding general to punish any State or Federal

judge that exercised his legal jurisdiction in the trial of a criminal without his permission.

The Military Governors could organize military commissions or tribunals according to their pleasure, appointing all the members of such tribunals, prescribing the mode of procedure, with the power to revise all of their findings and decisions, provided only that where the death sentence was pronounced it was to be submitted for the approval of the President.

The President proceeded to point out the various provisions of the Federal Constitution that were violated by this act of Congress. The bill provided for miilitary commissions while the constitution guarantees a trial by jury. The bill provided for arrests by a military order while the Constitution declares that "no person shall be held to answer for a capital or otherwise infamous crime unless on a presentment by a grand jury." The Constitution declares that "the privilege of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it," while this act of Congress declared martial law thereby suspending this great writ.

The United States are required by the Constitution to guarantee to each State a republican form of government. This act violates this constitutional obligation by destroying every vestige of republican government in ten States of the American Union, and placing the life, liberty and property of nine millions of people under the domination of one man clothed with unlimited authority.

It placed the people of those ten States under a military despotism from which there was no escape except through the adoption of organic laws under the dictation of Congress conferring unlimited suffrage upon the negroes.

The bill not only gave the military governor despotic powers but to make it still harder and more despotic it provided for the delegation of this power to such subordinates as they chose to appoint; for the bill provided that the military commanders shall "punish or cause to be punished." Mr. Johnson declared that such a power had not been wielded by any English monarch for more than five hundred years, and that in all that time no English speaking people have been subjected to such servitude.

Speaking of the preamble of the bill, which recited that no

legal State governments exist in the ten States enumerated, the President called attention to the fact that the provisional governments of those States, thus declared illegal, had ratified the Thirteenth Amendment to the Federal Constitution, and that their action had been accepted by Congress as legal and constitutional in declaring the adoption and ratification of that Amendment as a part of the Constitution by three-fourths of all the States of the Union. Without the consent of those States the requisite number had not been constitutionally obtained to the ratification of that Amendment, and thus the legal *status* of the negroes remained as it was before the Amendment had been officially declared a part of the Federal Constitution.

The President declared that the real purpose of the bill was not, as shown on its face, the establishment of peace and good order in the Southern States, but the real object was to force those States, through the pressure of martial law, to extend the suffrage to the negroes by provisions in their Constitutions and to ratify the Fourteenth Amendment; for when these conditions are fulfilled then the pains and penalties of the bill are to cease whether there is a condition of law and order in those States or not.

The military governments established by the bill were not intended for any purpose of maintaining law and order, but solely for the political purpose of coercing the people of those States into the adoption of measures to which they were opposed. The President declared that the acts of secession were void, that the Southern States were never out of the Union; and that in providing for reëstablishing their relations with the government Congress could only act in subordination to the provisions of the Constitution, and had no power to deprive those States of their right to regulate the suffrage which belonged to them under the Federal Constitution.

These and other objections were ably presented by the President in support of his veto of the Reconstruction Acts. It is conceded on all hands that Mr. Johnson's message is characterized by great force and with great dignity and calmness of expression. The bill was at once taken up and passed in both the Senate and the House over the President's veto by the requisite two-thirds majority.

Thus it was that this measure, which was destined to make

such fundamental changes in the structure of the organic law of the Nation and to produce such important political and sociological results in the history of the country, became a law and was put into operation against the ten Southern States which were subjected to its provisions. A military governor was at once assigned by the President to each of the five military districts into which the ten Southern States named in the act were divided.

On March 11, 1867, Major General E. O. C. Ord was appointed to the command of the Fourth Military District, composed of the States of Mississippi and Arkansas, and Mississippi, with nine other Southern States, was again placed under an absolute military despotism.

VI.—Reconstruction.

The period in the history of Mississippi from the time of the adoption of the Reconstruction Acts until the year 1875 stands without a precedent in the world's annals. In the presence of a negro voting majority of over forty thousand the whole structure of society was at once threatened, and the civilization itself of the State stood in deadly peril. This is not the language of exaggeration in view of the occurrences that took place during that strange and extraordinary epoch.

It seems like a dream to those who passed through it, so abnormal and extraordinary were the features that characterized the government that was fastened upon the State by the negroes and their alien leaders, under the force of martial law and the protection of Federal bayonets.

When the Reconstruction Act was passed there was a civil government and a condition of law and order in the State. All this was changed, and by one stroke the civil government was swept away and a military despotism at once established in its place.

The transition was as sudden as it was bewildering. There was consternation, if not dismay, among the clearest thinkers and most sagacious leaders in the State. There was discussion, followed by divided counsels.

A large class of white men were disqualified from holding office by the Fourteenth Amendment which was then certain to be ratified by the reconstructed governments of the Southern States.

There was humiliation to the white men of the State in the thought that numbers of their fellow citizens were to be placed under political disabilities, and that the State was again to be placed under martial law, but these considerations sank into insignificance compared with the danger to the whole social structure of placing unlimited suffrage in the hands of the recently emancipated slaves with their enormous voting majority in the State.

The views of Mr. Johnson in respect to the unconstitutionality of the Reconstruction Acts were shared by the great majority of the white men of the State. It is useless at this time to discuss the question as to how far Congress exceeded its constitutional powers in enacting those measures, in respect to their political features and provisions. Many of their provisions affecting individual and personal rights were in flagrant violation of the Federal Constitution.

In the political operation of the measures they were beyond the jurisdiction of the courts as was held by the Supreme Court of the United States in the case of the State of Mississippi *vs.* Andrew Johnson, President of the United States, in which it was sought to enjoin, by judicial decree, the execution of the Reconstruction Acts.

There were a few leading men in the State who advocated the policy of participating in the work of reconstruction, and of controlling, if possible, the Constitutional Convention that was called under the provisions of the Reconstruction Acts. The most active and prominent among this number were Ex-Governor Albert Gallatin Brown, Hon. John W. C. Watson and Dr. W. M. Compton. This course was advised by the following distinguished men of the State in letters which appeared in the Jackson papers and were widely published by the press of the State: Judge William Yerger, Judge Wiley P. Harris, Judge Amos R. Johnston, Ex-Attorney General Thomas J. Wharton, Hon. Fulton Anderson, and Hon. Ethel Barksdale. In this group of notable men were both States-rights Democrats and Union men.

Ex-Gov. Brown and Hon. J. W. C. Watson took a more active part in urging this course upon the people. The argument was unanswerable that the Republicans in Congress were absolute masters of the situation, having defeated overwhelmingly the President and his policy before the Northern people in the Con-

gressional elections of 1866, and with the two-thirds majority in both branches of Congress they could legislate independently of President. The political features of the Reconstruction Acts were beyond the reach of judicial power or authority, and, therefore, within the final and exclusive authority of Congress to decide upon the scope and extent of its powers in framing the political provisions of these measures.

It was argued that neither the policy of further resistance, nor the attitude of discontent or non-action could improve the condition of affairs. The view was also urged that if the white men took no steps to control or modify the course of events in the State under the Reconstruction Acts, the few white Republicans in the State would capture the negro vote, and take possession of the Constitutional Convention which would be convened to carry out the Congressional scheme of reconstruction. It was also urged that it was the part of wisdom for the white men of the State to participate actively in this work and use their utmost endeavors to make the best of the situation.

The reply by the opponents of this policy was that Congress had transcended its constitutional powers and the whole Congressional scheme was void, and that participation in the movement by the white men of the State might operate as a ratification of these measures and fasten them irretrievably upon the State. This line of thought was in harmony with the sentiments of hostility then entertained by the people of the State to the Republican party, and with their uncompromising condemnation of the Reconstruction Acts.

A Constitutional Convention was called to assemble at Jackson on January 7, 1868, by a military order issued on December 8, 1874, by General E. O. C. Ord, then commanding the Fourth Military District.

The great majority of the white men of the State held aloof and declined to participate in the election that was held for the purpose of selecting delegates to the Convention. The consequence was that when that body assembled it was found to be completely under the control of the negroes and their white leaders.

There were a few Democrats in the Convention but from the smallness of their number they were incapable in any degree of influencing the action of the body.

As an illustration of the absolute and despotic character of the military government then existing in the State an issue will be cited that occurred between the general commanding the Fourth Military District and the Constitutional Convention then in session. The Convention passed an ordinance levying a tax on the railroads in the State to raise money for its own expenses. This ordinance was annulled and its operation enjoined by a general order issued by General Alvan C. Gillem, then commanding the district, and Military Governor of the State. The Convention made a mild protest, but yielded obedience to the order. The General sent a formal communication to the Convention stating that he had been advised by his Judge Advocate, an army officer who had been detailed by military order to act as Attorney General of the State, that the ordinance was unconstitutional.

The writ of *habeas corpus* had been suspended, the courts were open only at the pleasure of the military commander, and numbers of citizens were arrested by military orders, and tried and convicted by military commissions organized by the commanding officer. This condition of affairs in the State continued for a period of nearly three years.

The Convention framed a constitution in accordance with the mandates of Congress, ratifying the Fourteenth Amendment and conferring unlimited suffrage upon the negroes, and, going beyond the requirements of the Reconstruction Acts, the Convention, by constitutional provisions, declared a large and influential class of white citizens ineligible to hold office.

The instrument was submitted to the people for ratification in the Summer of 1868 at an election which was held under the protection of Federal bayonets and of martial law, and at which the negroes of the State participated.

The election was held by the United States army officers and was honestly conducted. The Constitution was defeated by a popular majority of over five thousand.

The Constitution was then examined at Washington by the Federal authorities, and was submitted again to the popular vote at a general State election held on December 1, 1869, with the disqualifying provisions submitted separately, when it was ratified by the people, the disqualifying clauses being defeated by a large majority.

At that election Governor Alcorn was elected with a full Republican State ticket.

The Democrats, in the vain hope of defeating the regular Republican ticket, induced Judge Lewis Dent, the brother-in-law of President Grant, to make the canvass in the State against Governor Alcorn, as a liberal Republican candidate. Judge Dent was nominated by a wing of the Republican party called the National Union Republican party. It was hoped at the time that such a course would disarm the opposition of the Washington administration, and possibly secure the favor of the President. Such was not the effect, for President Grant, in an open note, disavowed any sympathy or connection whatever with Col. Dent's candidacy, and the result was his defeat by a large popular majority. "The Dent movement," as it was commonly known at the time, illustrates the exigencies of that period and the straits to which the white men of the State were driven in their efforts to mitigate the rigors of the situation in which they were placed.

At the election in 1869 a large majority of Republicans was elected to each branch of the Legislature, consisting of negroes, aliens, and a few native white Republicans. The number of Democrats in the Legislature was too small to exert any influence upon legislation.

Governor Alcorn's administration began on the first of January, 1870, and terminated upon his election to the United States Senate and his resignation as Governor in November of the same year.

A review of the events of this period would be incomplete without an allusion to Governor Alcorn's administration and his connection with reconstruction is Mississippi. Governor Alcorn was one of the most distinguished men in the State, and was a man of great ability, and of great independence of character.

In 1866 he advocated publicly the ratification of the Fourteenth Amendment by this State. He made a speech in Jackson, in the Senate chamber, to a large audience, in which he took the ground that the ratification of that Amendment would at once restore the State to representation in Congress and to the Union, that the State, in common with all of the Southern States that had seceded, was powerless, and in no position to dictate, or discuss, the terms and conditions of reconstruction; and that upon the re-

storation of the State to the Union on the basis of the amendment, the State would be under the control of the then existing State administration.

He reviewed the whole political situation at that time and urged the view that it was the part of wisdom and expediency to ratify the Amendment, and thus by voluntary coöperation with Congress and with the Republican leaders who held the power of the Nation in their hands, to end the whole reconstruction issue by an acceptance of the terms proposed.

He had a clear view of the political situation at that time, of its critical character, and of its possibilities. He saw clearly that if the South could not name a single term in the Hampton Roads conference, with the armies of the Confederacy then in the field, that the South was utterly prostrate before the power of Congress and the Republican leaders. He expressed the view that the ratification of the Amendment did not involve the dishonor or the humiliation of the South, and he declared as his opinion that the South would not be given any lighter terms as the conditions of readmission to the Union.

Governor Alcorn was replied to by Col. E. M. Yerger, of Jackson, who made a vehement and violent speech against the amendment, which was no answer to the arguments advanced by Governor Alcorn, but which expressed the popular sentiment of opposition to the amendment then prevailing in the State.

After the Reconstruction Acts were passed he advocated the policy of coöperating under these measures in the work of reconstruction with the view of controlling, or modifying, the course of events in the State.

Governor Alcorn occupied during his administration a peculiar position, and one which was not clearly understood at the time. His purpose was to rescue the State as far as possible from the unfortunate condition into which it had fallen, to restore law and order, to escape from the intolerable military despotism then existing, and to place the best men, of the most conservative class, as far as could be done, in control of public affairs in the State.

Of the coterie of brilliant men with whom he voted in the Convention of 1861 to take the State out of the Union, none were willing to go to the lengths that he proposed in the effort to reëstablish civil government in the State. This was possible at that

time only through the instrumentality of the Reconstruction Acts. He had no respect for the alien Republicans who had flocked to the State for public plunder, and there was afterwards an open rupture in the State between the two factions of the Republican party, the one led by Governor Ames, and the other by Governor Alcorn.

With a clean record personally Governor Alcorn retired from the office of Governor to take his seat in the United States Senate in December, 1871.

If the white men had followed his leadership and had supported his policy they might have influenced in a measure the administration of public affairs in the State, but they were unwilling to accept the conditions implied by such a course. It would have committed them to unlimited negro suffrage and to a division of the powers and responsibilities of government with the negroes.

Whether wise, or unwise, it was more than could have been expected of the white men of the State. In the outcome, in the evolution of the suffrage in the State, it seems that all things have worked for the best; and it appears now that a policy which would have been but a temporary makeshift, and which could not, in the nature of things, have been permanently maintained was wisely and judiciously avoided at the time.

As Chief Executive of the State, Governor Alcorn opposed official corruption and peculation and endeavored to secure an honest and orderly administration of public affairs in the State, but in this he was not successful, owing to the character of his constituency.

The condition of public affairs in the State grew steadily more corrupt and oppressive under the administrations of Governor Powers and Governor Ames, and increased in corruption and oppression until the Republicans were driven from power in the State in the year 1875.

In the spring of 1873 there was an open breach between Governor Alcorn and Governor Ames while they were in the United States Senate. Governor Alcorn did not hesitate to express, on the floor of the Senate, his contempt for the pretensions and arrogance of Governor Ames, and declared that he was not a citizen of Mississippi, but an alien, and was not entitled to a seat in the Senate.

Senator Edmunds, Senator Conklin and Senator Trumbull, distinguished constitutional lawyers and Republican leaders, concurred in the opinion that Ames had no right to a seat in the Senate for the reason that he was not a citizen of Mississippi.

In the State canvass of 1873 the extreme Republicans nominated General Ames for Governor, and a wing of the State Republican party known as the Liberal Republicans nominated Governor Alcorn. On the Ames ticket Alexander Davis, a mulatto, was the candidate for Lieutenant Governor, James Hill, a mulatto, was the candidate for Secretary of State, and J. W. Cardozo, a mulatto, was candidate for Superintendent of Education.

The Democratic party in a State Convention held at Meridian on Sept. 17th, 1873, presided over by Col. R. O. Reynolds, adopted a resolution declaring it inexpedient to nominate a State ticket. This left the issue between Governor Alcorn and Governor Ames, in which the Democratic voters of the State supported Governor Alcorn. The great mass of the negroes, under the advice of their most extreme white leaders, supported Governor Ames, who was elected by a large majority.

VII.—The State in 1874 and 1875.

With the exception of a few Democrats and a handful of native white Republicans, both the Senate and the House of the Mississippi Legislature in 1874 were composed of negroes and white aliens. There was a negro Lieutenant Governor, and a negro Secretary of State, and a negro Superintendent of Public Education, and the Speaker of the House, J. D. Shadd, was a negro. The negro members of the Legislature had increased to nine in the Senate and to fifty-five in the House. There were negro sheriffs, negro justices of the peace, negro members of the boards of supervisors, negro clerks of courts, and negro members of municipal councils. Official corruption and dishonesty of every kind was widespread. Taxation steadily increased to the point of confiscation. More than one-fifth of all the lands in the State in the year 1875, had been sold for taxes and was in the ownership of the State. The progress of the State was checked, all enterprise was blotted out, and values had depreciated. State

and county warrants were at a heavy discount. The State and the different counties were systematically plundered.

The State was on the road to ruin, and the condition of public affairs in 1875, had grown intolerable to the white men who for years had submitted in silence to the humiliation of negro domination, and who saw that the State was rapidly approaching bankruptcy and ruin under the corrupt practices and exactions to which it was subjected.

The State stood, with this condition of affairs, as a spectacle for the contemplation of the Republicans of the North who had placed the white men of this Commonwealth under a government controlled by their former slaves. Nothing in the history of the English speaking people, nothing in the entire history of the world, furnished a parallel for such an extraordinary condition of affairs.

Finally, in 1870, the Fifteenth Amendment to the Federal Constitution was adopted, which declared that no State should ever place any limitations on the suffrage that would discriminate against the negroes, thus impairing by the Federal organic law the power which the States had possessed from the establishment of the Union, of regulating the great local and domestic subject of the elective franchise.

In this manner the States were deprived of one of their most important powers and one of their highest prerogatives of sovereignty; and the Federal government, for the first time in its history, assumed the power of dealing with the suffrage, and confirmed the grant of the elective franchise to the negroes by a constitutional limitation on the power of the States, forbidding them to place any conditions on the suffrage that would discriminate against the negro race.

This was the most extraordinary and unprecedented political, and sociological, event that ever happened in the history of the world.

It was destined at once to make some mighty changes and upheavals in the domestic and political affairs of the Southern States, and to mark the beginning of a new and bitter sectional issue between the people of the North and the people of the South, and to postpone for more than a quarter of a century the pacification of the country.

The events attending these measures are therefore of profound importance in showing the peculiar condition of affairs under which they were adopted. The State sank deeper and deeper under the burden of the government thus established under the auspices of the Reconstruction Acts, and upon the basis of negro suffrage.

The condition of affairs became so intolerable, and the exactions of taxation became so grievous, that a Convention of the tax payers of the State, assembled in Jackson, on January 4th, 1875. Gen. W. S. Featherston was elected chairman. The Convention was largely attended by the leading men of the State. Its action was the initiation of the movement of the white men to retain control of the State.

The Convention issued a powerful protest against the corruptions and exactions that characterized the administration of public affairs in the State. It was in the form of a petition to the Legislature but was substantially a declaration to the world of the grievances of the white people of the State; and it was an earnest and powerful appeal to the Northern people for their support and for their sympathy and approval in the effort to secure good government for the State. It is a long and powerful document, setting forth in the most dignified terms the character of government that was then robbing and oppressing the people of Mississippi.

The address of the Convention met the approval of the best class of Republicans in the State, such men as Gen. George C. McKee, Col. Henry Musgrove, Judge Frederick Speed, Chancellor Harvey R. Ware, Judge Robert J. Alcorn, Mr. George C. Harris and Col. A. Warner, who had already fallen away from the Ames administration on account of its oppressions and corruptions. Gen. McKee, a man of wealth and high character, in an interview published in the *Vicksburg Times,* a Republican paper, indorsed the declarations of the Convention, and said in speaking of the excessive taxation in the State, "the evil is enormous."

The white men of the State had begun to hope that the public sentiment at the North in respect to the corrupt negro government in this, and several of the other Southern States, would change and that with a friendly sentiment at the North they could readily liberate themselves from a situation that had become intolerable.

An event which occurred in Louisiana a few days after the adjournment of that Convention hastened the development of a friendly sentiment in the North for the white men of the South. In the House of Representatives Mr. L. A. Wiltz, a Democrat, and Mr. Michael Hahn, a Republican, had a contest in regard to the Speakership, each one claiming the superior right. It seems that Mr. Wiltz obtained possession of the chair. Thereupon the Republican members appealed to the general commanding the department, who marched a file of Federal soldiers into the Hall of Representatives and seated Mr. Hahn, and declared him the Speaker of the House. Gen. Phil. H. Sheridan, who was placed in command at New Orleans shortly afterwards, approved the act in an official communication to the Secretary of War.

There was great popular indignation expressed in the North against this outrage. In New York city a call was made for a citizens' meeting that was held in the Cooper Institute on January 11, 1875, irrespective of party. This call was signed, among a great many others, by Hon. W. C. Bryant, the oldest living free-soil editor in the United States, Sidney Webster, son-in-law of Hon. Hamilton Fish, Secretary of State, Hon. August Belmont, Hon. C. A. Dana, formerly Assistant Secretary of War, and Hon. William M. Evarts. At that meeting the Louisiana affair was condemned.

The *New York Herald, New York Times* and the *Boston Journal and Advertiser,* and other Republican papers in the North condemned it in the strongest terms. The event made a great impression upon public opinion all over the North.

In the early part of December, 1874, an event, known as the "Crossby Riot," occurred in Vicksburg that had a great effect in shaping the public affairs in the State. The facts connected with that event illustrate in a most striking manner the condition of public affairs in the State at that time.

Crossby, who was sheriff and ex-collector of Warren county, in addition to his insolent conduct and usurpations of authority, had given a bond which the Republican Board of Supervisors had pronounced worthless. They then ordered him to give a good bond, which he refused to do and declared his purpose of holding the office.

A citizens' meeting composed of the tax payers of the city appointed a committee to demand Crossby's resignation, and upon this demand Crossby resigned. He soon afterwards declared that he had resigned under duress, and refused either to give an official bond or to vacate the office.

Governor Ames issued a proclamation in which he declared that the citizens' meeting was disorderly, and denounced the citizens who held the meeting as insurgents. This proclamation with a printed circular signed by Crossby denouncing the white men of Vicksburg and calling on his friends to stand by him, were placarded over the town on the fifth day of December.

On December 6th W. T. Cordozo, a negro, who was State Superintendent of Education, wrote to Crossby telling him to stand firm and make no compromise, assuring him that Governor Ames would support him. The white citizens then applied to Chancellor Hill, who ordered an injunction to be issued against Crossby restraining him from performing any official acts.

In the meantime the negroes outside of Vicksburg in response to Crossby's appeal had been organizing and arming themselves, and the next morning after Chancellor Hill's order was made for the injunction, it was learned that the negroes were marching upon the town. The white men armed themselves hastily and repulsed them, killing between fifty and one hundred of their number.

The negroes marched upon the town on three different roads in three bodies or detachments of from two hundred to three hundred each. These facts appear in a statement published in the Vicksburg papers and republished in the Jackson *Clarion* signed by Ex-Governor Benjamin G. Humphreys, J. A. Klein, W. A. Fairchild, J. W. M. Harris, and a number of other leading citizens of Vicksburg, including Judge Frederick Speed, Col. Charles E. Furlong and Hon. G. Gordon Adams, Republicans and men of high character.

Chancellor Hill and other white Republicans in Vicksburg not only advised but urged Crossby not to allow the negroes to attack the town, but he refused to change his course.

Judge George F. Brown, a white Republican, in an interview published in the Cincinnati *Commercial,* and reproduced in the Jackson *Clarion,* indorsed the course of the white men in repelling

Crossby's attack upon the city of Vicksburg and declared that they did their duty in preventing him from taking possession of the city with a mob of armed negroes. Chancellor Hill, Col. Charles E. Furlong and other white Republicans expressed the same view. After the repulse of the negroes there were no further disorders or disturbances in that county. Governor Ames immediately called upon the President for Federal troops and called the Legislature in extraordinary session. The Legislature passed a resoluion calling on the Federal government for troops, and declaring that a state of lawlessness existed in Warren county.

On December 19, 1874, the Democratic members of the Legislature issued an appeal to the people of the United States setting forth the grievances of the people of Mississippi, and protesting against the call that had been made by the Governor and the Legislature on the President for Federal troops. It is a dignified and able paper, containing no overstatement of the situation of affairs in the State, but a clear and dispassionate statement of the character of the government of corruption and misrule that had been imposed upon the State. It said:

"We are now suffering from a misrule which is day by day wasting our substance and paralizing the energies and crushing the hopes and aspirations of our people, and is threatening anarchy by the banishment of all public spirit and private virtue from public life."

Speaking of the call for troops, it said:

"We do not deny that there are occasional disorders in our midst, but we solemnly aver that in no part of the world, and in no age, have there been so few modern oppressions so severe, and under circumstances of injustice, wrong and insult so irritating and trying."

Alluding to Governor Ames, it said:

"He is here as a mere political adventurer, with no other interests than such as result from being an office-holder; and we presume that he would not deny that his pretended citizenship in this State would end with his official career."

It declared that the call for troops by the Legislature had been decided upon by a Republican caucus composed largely of the negro members whose passions had been inflamed by the proclamation of the Governor and that there was no occasion for Federal troops and the whole clamor was for partisan purposes.

It also declared that:

"The people of Mississippi are utterly powerless to defend themselves against these corrupt rulers unless we shall have the sympathy and good will, not of any particular party, but of our fellow-citizens throughout the Union."

The appeal concluded as follows:

"In conclusion, we beg to be allowed, on behalf of the people of Mississippi to assure our fellow-citizens of all parts of the Union, of our earnest desire for the restoration of fraternity and mutual confidence, and that our people have no more ardent wish, nor sincere aspiration than to be treated and trusted as equals in the Union, and to be allowed to contribute our full share to the prosperity and to the glory and honor of the American name."

This appeal, followed by the petition of the tax payers Convention, produced a profound effect upon the State as well as upon the public sentiment of the North.

At that time the "Force Bill," as it was commonly termed, was pending in Congress. That measure was intended to repress the efforts of the white men then being made in the Southern States that were under the domination of the negroes and aliens to the State, to regain control of their State governments. The measure was severe and drastic in its terms, and apprehensions were entertained at that time in the South that it would become a law.

On February 18, 1875, the Southern Democratic members of Congress issued an address to the people of the South advising patience and forbearance on their part, and expressing the hope as well as the belief that the measure would not be passed. It concluded as follows:

"We may, however, be mistaken. The most extreme, oppressive, and unconstitutional measures may be imposed on you; in such an event we would appeal to the wisdom and patriotism of a long-suffering people, by every hope of the future, for continued forbearance, and hopeful reliance on the virtue, and sense of justice, of the American people for the ultimate vindication of our rights, the protection of our liberties, and the safety of our Republican form of government."

Hon. L. Q. C. Lamar, who had been elected to Congress from Mississippi in 1872, soon acquired a national reputation for the breadth and statesmanship of his views. He won the esteem of the Northern people by his broad national sentiments, and especially by his eloquent eulogy of Hon. Charles Sumner after the death of that great Republican leader. Mr. Lamar's eloquence was of the highest order and his candor and frankness of statement made a deep impression upon an audience.

Mr. Lamar made a strong appeal to the North in 1875, in which he explained the condition of public affairs in Mississippi with great moderation and candor, and in which he appealed to the Northern people for their sympathy and support.

On March 6th, 1875, he made a speech at Nashua, New Hampshire, to a large audience, in which he gave a calm and graphic presentation of the character of the government that had been imposed upon the white people of Mississippi, and a broad and candid exposition of the situation of public affairs then existing in the State. Mr. Lamar said in his opening remarks:

"I would have preferred to come among you upon some other occasion than that of a poltical canvass. Coming to plead the cause of one people to another, the very sanctity and dignity of my mission naturally left me above the petty passion and ambitions of any party strife, and my only motives are my final judges—God, conscience, truth, country, posterity. And if among my motives there lurked one less pure than truth, if there were in my heart a glancing thought of party profit, or party advantage, at any approaching election, I should feel that I was trifling with sacred interests."

In the course of his speech Mr. Lamar made the following quotation from a speech made by Mr. Hale, of New Hampshire, a distinguished Republican leader, on the condition of affairs in Mississippi and several other Southern States:

"For the last four years the infamy and disgrace of certain Southern governments have been heard in Congress. There have been corrupt electors and corrupt elections. There have been double Legislatures, double Governors, double Representatives in this House and double Senators year by year, in many States; there have been bad men in these States who have bought power by wholesale bribery, and have enriched themselves at the expense of the people by speculation and underhand robbing. Corruption and anarchy have occupied these States."

Mr. Lamar said in conclusion:

"I assure you that there is no antagonism to the Union in the Southern country. If you were to attempt to confer a separate nationality upon them, they would not accept it as a boon. They all believe and feel in their shattered condition that their hope, and the hope of the American people, is the preservation of the Union.....They are ready to rally around your old flag, which has been for ten years not an emblem of protection, but an emblem of force. Just vouchsafe to them the benefits of government as you enjoy them yourselves, give them the right of local self-government, that is all they ask, and they will teach their children to lisp, 'Liberty and Union, now and forever, one and inseparable.'"

Owing to Mr. Lamar's high national distinction no less than to his force and eloquence, this speech was published and com-

mented upon in favorable terms by the conservative press of the North, and had a wide circulation in the Northern States. It was published in full with the strongest editorial approval in the Boston *Advertiser,* a journal of high character, and of conservative and patriotic principles.

This speech was delivered at a time most opportune for the State. The great tide of public opinion in the North in respect to the reconstructed governments of the South was beginning to turn towards the Southern people. The Louisiana incident had directed the public thought of the North in a new direction; and the call of Governor Ames for troops in Mississippi on the eve of a political election, disclosed the weakness and incompetency of his administration. It was becoming apparent that the kind of State government then existing in Mississippi was not worthy of a national guardianship, and that the Federal army could not be used indefinitely to maintain such a government by force over the white men of the State.

With this condition of affairs in the State thus exposed, Mr. Lamar's speech attracted wide public attention, and produced a marked effect upon public opinion in the North.

In 1875 the Ames' administration was rapidly assuming, literally, the character of a negro government. The negroes were constantly making larger claims for offices, and more negroes were being placed in office according to their demands.

An illustration of the attitude then being assumed by the negroes, was the fact that the negroes in Warren county in 1874 had thrown off the white leadership and had nominated a full county ticket composed exclusively of negroes. The ticket was beaten, but the action of the negroes was significant.

Another illustration may be cited. At the extraordinary session of the Legislature, called in December, 1874, by Governor Ames, the negro members held a secret caucus from which the white Republicans were excluded, at which they decided to vote against several measures of reform and for reducing taxation, which had been introduced in the House.

The Vicksburg *Plaindealer,* a Republican paper, in an editorial on this subject, of this effort of the negroes to take the control of their party affairs in their own hands, said:

"When such caucuses are held let them be general, and open to all Republicans. There is no use disguising the fact that the Republican party is now at its crisis, and the members of the Legislature virtually have its fate in their hands."

The State, so far as the administration of its public affairs was concerned, was being Africanized.

The negroes were showing unmistakable evidences of their purpose to throw off their white leadership. Governor Ames had begun to organize a negro militia.

Public affairs had at last reached the point where the patience of the white men had become exhausted.

On August 4th, 1875, a State Convention of the Democratic party was held at Jackson to organize a canvass for carrying the State at the approaching November election.

The Convention was composed of the most distinguished men of the State. Their spirit was high, and the purpose to reëstablish themselves in power in the State was undaunted. Among its many distinguished members were J. W. C. Watson, Wiley P. Harris, John M. Stone, Amos R. Johnston, A. G. Brown, H. H. Chalmers, W. T. Martin, J. Z. George, J. A. P. Campbell, W. S. Featherston, W. A. Percy, Charles E. Hooker, Kinloch Falconer, Robert Lowry, Ethel Barksdale, Edward Mayes, E. C. Walthall, R. W. Williamson, George L. Potter, W. H. Hardy, Otho R. Singleton, W. R. Barksdale, and James T. Fant. The best and the noblest men of the State were there. The Convention was presided over by ex-Governor Charles Clark.

Senator L. Q. C. Lamar was the leading spirit in the Convention, and addressed the body in a speech of masterly force and eloquence. His utterances were conservative and broad, and he proclaimed that the canvass would be made with a just regard for the rights of all of the citizens of the State.

Beneath the public utterances in that Convention there burned a deep spirit of determination to rescue the State from negro and alien rule.

The Convention called upon all of the citizens of the State, irrespective of race, to coöperate in the work of restoring good government, and declaring that a determined effort would be made to effect that object. The resolutions declared that the determination was "to secure to ourselves, and our posterity, the blessings of an honest, economical government administered by able,

efficient and competent officers." The State was being stirred to its utmost depths, and it was evident, from the outset, that a determined and desperate effort was to be made by the white men for supremacy in the election that was to be held in the coming November.

The negroes and their white allies, seeing the determined attitude of the white men, prepared on their side for the final struggle that was to take place for the control of the State.

As the canvass advanced, disorders began to occur in different parts of the State. The canvass on the part of the white men was determined and aggressive, and the negroes on their side showed no signs of weakening, but on the contrary, they put on a bold face, and displayed great confidence, being backed by Governor Ames with his negro militia, and supported, as they imagined him to be, by the Federal administration.

The white men were holding meetings all over the State, and the Republicans were doing the same. Hon. Wiley P. Harris, on August 21, 1875, addressed the Democratic Club of Jackson. In a speech of great clearness and force he portrayed the character of the government that the people of the State had been subjected to for more than five years. Judge Harris said that the white men had "patiently submitted to a political servitude which in its absolute subjection has no parallel." He spoke of it as "a government at once imperious and contemptible—a tyranny at once loathsome and deadly." Speaking of the alien Republicans, he said, "with unparalleled audacity they threaten the whites with Federal bayonets, assuming that they alone could secure Federal aid."

Judge Harris said that public sentiment in the North had undergone a marked change in respect to the governments in Mississippi and the other Southern States similarly situated, and that the Northern people were watching closely the course of events in the State.

The public excitement in the State grew steadily in intensity. There were riots between the whites and the negroes in many counties in the State, conspicuously in the counties of Hinds, Yazoo, and Issaquena. Governor Ames proceeded with the organization and arming of militia companies composed of negroes. And the white men, all over the State, where any disorders were

anticipated, began to arm themselves, and to form military organizations. There were the gravest indications of a war of races.

The organization of the negro militia by Governor Ames aroused the indignation of the white men to the highest pitch. The riot at a political meeting near the village of Clinton, about ten miles west of Jackson, had taken place, in which several white men were killed and wounded, and in which the white men, vastly outnumbered by the negroes, were driven from the ground.

The condition of affairs at that time in Mississippi was without a parallel. Governor Ames, a white man of intelligence and of high education, a graduate of the Military Academy at West Point, a former major general in the Federal army, distinguished for his courage and gallantry on many occasions, proposed to maintain himself in power, against the white men in Mississippi by organizing and arming a negro militia. He had called again upon the President for Federal troops immediately after the Clinton riots, and his request had been refused. General Grant, who was then the President, said to Governor Ames that the people of the North were weary of the autumnal outbreaks in the Southern States, and that public sentiment would not approve the use of Federal troops at elections in the South.

Governor Ames continued to organize and arm his militia. He proposed to ship arms to DeSoto county for arming the negro militia of that county. He also contemplated sending a force of negro militia across the country to Yazoo county to reinstate Col. Morgan, the Republican sheriff, who had fled to Jackson after the race riot in that county.

This policy was rapidly driving the white men to the most desperate course. Every day the strain grew greater, and a conflict between the negro militia and the white men was imminent at any moment. Events were shaping themselves with great rapidity. At this critical period the celebrated "Peace Conference" of October 15th, 1875, between Governor Ames and Senator George took place, at which Governor Ames agreed to disarm the negro militia, and Senator George, for himself and the white men of the State, agreed to aid Governor Ames in keeping the peace, and in securing a peaceable election.

After that the negroes, having witnessed the formidable and determined attitude of the white men, and the disarming of the

militia by Governor Ames, were greatly discouraged and disheartened. The result was a sweeping victory for the white men at the election in November, which gave the latter a large majority in both branches of the Legislature, and full control of public affairs in the State. In the Senate there were twenty-six Democrats and eleven Republicans, and in the House there were ninety-seven Democrats and twenty-two Republicans, thus giving the Democrats the power to legislate regardless of the Executive veto. Five out of six of the members of Congress were Democrats.

The position of Governor Ames in the canvass of 1875 was one of great embarrassment, and if there had been a race conflict, it would have been one of great peril to him. His course in disbanding his militia, and relying upon the word of the white men to keep the peace, was commendable. It saved the State from a bloody chapter in its history, and him from the reproach of having caused to the State a great calamity, which it was in his power to avert.

The suggestion for a conference with Governor Ames came from the Democrats, and on the suggestion to him that an agreement might be arrived at between him and General George by which the peace and good order of the State could be preserved, he invited General George to a conference with that object in view.

Thus ended this remarkable period in the history of the State. Negro rule was at an end, and honest local government, after that long and terrible ordeal, was reëstablished in Mississippi.

VIII.—The Period From 1875 to 1890.

Upon the assembling of the Legislature in January, 1876, one of the first steps taken by the House was to bring articles of impeachment against Governor Ames and A. K. Davis, the Lieutenant Governor of the State, and the presiding officer of the Senate, and Cordozo, the State Superintendent of Education. Governor Ames stated to his counsel that it was his purpose, after the election, to resign, and proposed to do so, upon the condition that the impeachment proceedings were dismissed, which was done. Cordozo resigned his office and the proceedings against him were dismissed. A. K. Davis was convicted and removed from office.

Hon. John M. Stone, who had been elected President *pro tem.* of the Senate, succeeded Governor Ames as Governor of the State on March 29th, 1876.

As early as 1876 there were a few of the leading men of the State who were in favor of calling a constitutional convention for the purpose of dealing with the question of the suffrage. The great majority of the Democratic leaders, however, entertained the view that such a course would be premature, and as it involved so many complications and difficulties, it was thought that the wiser and safer course would be to observe and await the operation of unlimited negro suffrage under the auspices of the new administration of public affairs that had been established in the State.

The inherent difficulties of administering the State government under the auspices of white supremacy with unlimited negro suffrage, were soon to be experienced. The celebrated Presidential canvass of 1876, in which Hon. Rutherford B. Hayes and Hon. Samuel J. Tilden were the nominees, respectively, of the National Republican and the National Democratic parties, developed the fact that the race line in politics was drawn as firmly in the State as ever.

The Republican leaders at once reorganized the negroes in the State for the political contest, and they were registered as voters in large numbers. The canvass was heated and exciting, though the election occurred without any serious disturbances or disorders. The negroes had a large registered majority in the State, but the result of the election showed that a majority of the votes cast were for the Tilden electors. It was claimed by the Republicans that the election was carried by illegal methods, and by the suppression of the negro vote by intimidation and other irregular means. The Electoral Commission organized by Congress to decide the great national contest between Mr. Hayes and Mr. Tilden, counted the electoral vote of Mississippi for Mr. Tilden, although it went behind the face of the election returns and gave the votes of Louisiana and Florida to Mr. Hayes, which act decided the issue in his favor. A great effort was made in that canvass to induce the negroes to divide their ranks and vote with the white men. A few did so, but the great mass of those who went to the polls voted the Republican ticket.

The State election in 1877, at which Governor Stone was elected, went by default.

In the year 1881 the Republicans consolidated with the Greenback party in the State and nominated Hon. Benjamin King, of Copiah county, a man of ability, for Governor, against Hon. Robert Lowry, a man of high character and distinction, who was the nominee of the Democratic party. The chairman of the Democratic State Executive Committee proposed a series of joint discussions between the nominees of the two tickets, which was accepted, and the entire canvass was conducted on the basis of joint discussions. This canvass was peaceable, being conducted in a friendly spirit by both sides. Governor Lowry was elected by a large majority.

It was again charged that the Democrats, who controlled the election machinery, carried the State by irregular and illegal methods, although the election was not legally contested. Governor Lowry was reëlected in 1883 without opposition.

Mr. Cleveland carried the State in 1884 by a large majority, and whatever may have been the criticisms of the canvass in the State, his right to the electoral vote of Mississippi was never controverted.

The year 1889 marked an interesting point in the history of the State. Before that time the policy of having a State Constitutional Convention for the purpose of dealing with the suffrage had been under discussion by the press of the State, but there had been no decided formation of public opinion on the subject, and it had not been formulated into a distinct political issue.

Governor John M. Stone, who had been defeated by Governor Robert Lowry for the Democratic nomination in 1885, announced himself a candidate for the nomination for Governor. Hon. Ethel Barksdale was his formidable competitor. At the outset of their candidacy for the nomination the result was very doubtful. Governor Stone was known to favor the calling of a Constitutional Convention, and this consideration turned the scales, and resulted in his nomination by the Democratic State Convention in 1889. The Democratic ticket was elected without opposition.

In the various elections that preceded that of 1889, and where there were two tickets in the field, the negroes had been appealed to by every argument that could be advanced to show to them

the difficulties presented by their standing solidly together in both national and State affairs. It was pointed out to them that they had the same interest in State affairs, whatever might be the national issues, and in having good local government, that the white men of the State had. ,

They were reminded that there was no personal hostility or unfriendliness between the races, and that in all local elections, at all events, they ought to vote for the best men for the offices. They were reminded that all of their children were being educated at the public expense. And that in all business and personal relations the most kindly sentiments were entertained for them by the white men of the State; but that it was impossible to allow the reëstablishment of a government of the character that had existed in the State from 1870 to 1876. This was all especially argued in the general public joint discussions that were had all over the State in 1881.

There can be no doubt, or denial, of the fact that persuasion, argument and appeal were used during this period to get the great predominating negro vote to divide between the political parties, at least in respect to the domestic affairs of the State. The experiment had been been tried in various counties of giving the negroes a part of the local county offices on what was known as the fusion plan, but that proved unsatisfactory to both parties, and was abandoned as impracticable.

In the large black counties, as was subsequently conceded in the public debates in the Constitutional Convention of 1890, in order to avoid the effect of the solid negro vote, and the consequent reestablishment of negro government in the State, the negro vote was repressed by various methods and devices which were not defensible under the law. With universal negro suffrage, the logical alternatives were, between negro government on the one hand and illegal election contrivances on the other.

The white men in the State had given unlimited negro suffrage a fair trial, and found it to be a failure. They had reached the point where the two races stood solidly and hopelessly arrayed against each other politically, with no indication or possibility of a break in either line. To give the law its full and proper course, was to surrender ultimately the control of the State to the negroes. This had been demonstrated during the six years of Republican

rule. To prevent this catastrophe, unlimited negro suffrage had made the white men in many parts of the State intimidators or contrivers in elections. This was the final view of universal negro suffrage in a State having a solid negro majority of over 40,000 in the electoral body. The thinking men of the State realized the magnitude, the perplexities, and complexities involved in the treatment of a situation in which two races, so dissimilar in all respects, were clothed by the Federal organic law with equal political rights and privileges.

Unlimited negro suffrage had been tried under the auspices of each of the political parties in the State. The State had seen the operation of negro suffrage under the auspices of a State government, administered largely by negro officials. It had witnessed the operation of unlimited negro suffrage under the best auspices of white supremacy. It had also witnessed the failure in various counties of the experiment of dividing the offices with the negroes. In all of its various phases, this problem of government bristled with difficulties, and apparently defied solution.

Speaking of the subject of the presence of two races under one government, in explaining the opposition of the people of Vermont to the immigration of negroes from the South to that Commonwealth, Mr. Edmunds, in 1866, in the United States Senate, said:

"It is not based, I repeat, on any hostility to the African; it is not based on any want of good will to the African. It was based upon the belief that nations and races, as they have been created by the God of nature and by geographical division and arrangements, get on better as separate families with their separate independence and their separate institutions than they do amalgamated together, unless their origin, their race, their tendency, their nature, is such that being put together they assimilate and become one perfect, homogeneous and prosperous mass.

"I do not need to call the attention of Senators to that fundamental principle of domestic government, that in order to success, that just success which produces happiness to its people, no republic can succeed that has not a homogeneous population. That was what was for so long a time the curse of our Southern sister States. It was the want of homogenity that they thought was mitigated and helped out by the fact that the different races occupied different positions, one dominant, the other servile. It did not accomplish it then, as they will all tell you now, Mr. President. And the one great evil there now is, not that the white man is a better than the black man, or the black man better than or equal to the white man, but it is that there has not yet been time enough, if ever there may be, that in the real and best sense of a homogeneous order in a republic, these two peoples can assimilate and coalesce so as to make such a democratic State as I am speaking of."

Such was the situation, so graphically portrayed by the great Vermont Senator, in which the two races stood in the State, and

such were the difficulties of its solution within the field of permissible constitutional action by the State, with a just regard for the rights and the welfare of the negroes, as well as the general welfare of both races.

It was becoming evident that the existing state of affairs could not constitute a permanent condition in the State, and that some policy within constitutional lines of action must soon be adopted. In the election for State officers and members of the Legislature in 1889, the question of a Constitutional Convention was an issue in the canvass, and it was widely discussed by the press of the State. Governor Stone, in a published letter, in advance of his nomination, declared that he would approve a resolution of the Legislature calling a Constitutional Convention, and it was understood that he was among the supporters of the measure. The press of the State, and the people of the State, were at first doubtful, and divided on the question, although it was evident that the Legislature of that year would be elected upon that issue.

The public sentiment in favor of the policy of the suffrage had been slowly but steadily growing since 1875, until that question had become the principal and absorbing issue in the State canvass of 1889.

Among the prominent men of the State who advocated a Constitutional Convention were Senator J. Z. George of Hinds county, Governor John M. Stone of Tishomingo county, Hon. L. W. Magruder of Warren county, Hon. R. C. Patty of Pontotoc county, Gen. Will F. Martin of Natchez, Hon. S. S. Calhoun of Hinds county, Hon. John W. Fewell of Lauderdale county, Hon. Wiley P. Harris of Hinds county, Hon. George G. Dillard of Noxubee county, Hon. R. A. Dean of Lafayette county, Hon. T. S. Ford of Marion county, Judge H. F. Simrall of Warren county, Hon. James L. Alcorn of Coahoma county, Hon. Edward Mayes of Lafayette county, and Hon. Monroe McClung of Carroll county.

Among the leading and influential newspapers in the State that advocated the calling of a Constitutional Convention *The Commonwealth,* published at Jackson, and edited by Mr. Edgar S. Wilson, was the most prominent. Mr. Wilson devoted the columns of his paper to the advocacy of this great public measure with ability, candor and persistence. His editorials swept the

whole field of controversy and debate on this important and interesting measure, embracing as they did questions of the expediency of calling a convention as well as the questions in respect to the constitutional limits of the powers of the State in dealing with the suffrage. The condition of public affairs, resulting from unlimited negro suffrage was stated with great fairness and candor, and the adoption of legal and constitutional measures for securing an intelligent and competent electoral body in the State, was urged in the columns of the *Commonwealth* with great force and ability.

The *Greenville Times,* published at Greenville and ably edited by J. S. McNeely, and many other leading papers elsewhere in the State, took the same position.

No political questions, however important, no question of State policy however urgent, had the effect of obliterating, or weakening, the color line in politics, and no differences of opinion in respect to any public questions, either State or national, among the white men of the State affected their solidity on this race line in politics. While the negroes on their part gave no indications of division.

The white men stood by the Democratic party, and the great masses of the negroes never wavered in their allegiance to the Republican party. The Republican party in the State was under negro leadership and this fact deterred many white Republicans from taking an active part in local party politics. The political attitude of the two races was a constant cause of conflicts and collisions between them; and the presence of the large negro voting majority in the State kept the Commonwealth in a constant state of apprehension and disturbance.

Senator J. Z. George had already announced his views in favor of the Convention, and immediately upon the adjournment of Congress he returned to the State and began an active canvass in favor of a Constitutional Convention for the purpose of regulating the suffrage. He made a speech during the canvass at Jackson to a large and intelligent audience, in the Hall of Representatives, which speech made at once a profound impression throughout the State. He spoke also at other places in the State.

Senator George made a candid and fearless statement of the condition of public affairs in the State growing out of unlimited suffrage. He made no concealments, and no half statements, but

with an earnest determination to probe the subject to the bottom, he demonstrated the impossibility of continuing the election methods then employed, as a permanent condition of public affairs in the State. Election methods must be lawful, and elections must be fair and legal, he argued, if the public morals of the people are to be preserved, and the civilization of the State maintained. He said that we had tried the experiment of unlimited negro suffrage fairly and patiently, and had found that we could not maintain good government in the State on the basis of the electoral body as it was then constituted. Senator George demonstrated that enough power was left in the State to exclude ignorant and incompetent voters from the elective franchise. He made a patriotic appeal to the white men of the State to make a sacrifice, if necessary, in order to elevate and purify the electoral body of the State. He declared that the standard of public morals was being impaired, and that the prosperity and advancement of the State was being retarded by the unsatisfactory condition of the suffrage. He said that the best classes of the people were in favor of a sweeping reform, and of improving the conditions of the suffrage with a view of placing all election methods upon a fair and legal basis.

In a word, Senator George declared that he favored a reform of the suffrage, and honest, fair, and legal elections, at which all qualified voters, white or black, should vote freely and without interference, and at which the utmost fairness in all respects should prevail. It was known at the time that Senator George had no special plan of his own for regulating the suffrage, and he wisely avoided any detail that would interfere with his main purpose to bring the leading men of the State together in a State Convention for counsel and deliberation.

This speech was widely published throughout the State, and largely influenced public opinion in favor of a Constitutional Convention.

At the same time Senator E. C. Walthall entered the canvass as an opponent of the measure. There was no joint discussions, or debates, between these distinguished men, but each took his own course, and made his own separate appointments.

Senator Walthall's convictions were strongly against the policy of undertaking at that time to deal with the question of the suf-

frage. He pointed out, with great clearness and force, the difficulties and complications that environed the subject, and the dangers that presented themselves in any movement having for its object the placing of limitations upon the elective franchise.

In order to show the temper and spirit, as well as the object and purpose of Senator George in the advocacy of a Constitutional Convention, the following passages are quoted from a communication from him, published during the canvass in the Vicksburg *Commercial Herald*:

"Every man who has held an office or registered as a voter in Mississippi since 1868 has taken an oath to support the Constitution of the United States. We must obey this Constitution or violate our oaths already taken. That the Constitution in any part of it may be wrong does not relieve us from this obligation. That any particular part of it was placed there by force, or fraud, does not relieve us so long as it remains a part of the Constitution. We cannot, as some Northern men did before the late Civil War, announce our obedience to a higher law than the Constitution. We must obey the Constitution itself, and obey it in good faith. That Constitution declares 'the rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State on account of race, color or previous condition of servitude,' and that 'no State shall deny to any person within its jurisdiction the equal protection of the laws.'

"Our oaths to support these provisions must be sacredly observed; and for one, whether in office or in private life, I propose to redeem this solemn pledge in letter and in spirit. To enable us so to redeem it with safety to ourselves, and to our colored fellow-citizens we must have a government so organized as to be capable of the legitimate work of government—the protection of life, liberty, and property. When we secure such a government the task will be easy, but I propose to perform it whether it be easy or difficult. I would make the colored man feel that he is as safe in his person and his property and in his civil and political rights as the white man. He is here among us, a part, and the larger part, of the citizenship of the State. He must be made a good citizen, and must be taught to love and revere the name and character of the State as we do.

"He must also be taught to rely on the State as white men do for protection in all his rights. He has political rights which cannot be denied him, and these rights impose upon him the proper performance of political duties. He must be taught to perform aright these political duties, of which he is lamentably ignorant. He must be taught both by precept and example that notwithstanding the social gulf which must forever separate him from us, his happiness, his welfare, and his advancement is as much the end and the aim of the State government as the welfare and happiness and advancement of the white race. Whatever we may believe as to the impossibility of molding a capable and safe political society out of the two diverse races, we must at least make a fair trial to accomplish it. So that if future failure comes, as many wise men are assured that it will come, we may be acquitted of blame, and being without fault, we may appeal with confidence to the people of this great country for that relief which will be as essential to the negro's welfare as to ours.

"The situation in Mississippi is bad enough when it is considered in the light only of the difference in races of its people, the majority race being wholly incapable of forming, or administering a constitutional government;

yet the men of both races are equal in political rights, made equal by a law beyond change, or repeal, by our action alone. This situation is even more dangerous from the fact that the incapable race, because of their incapacity, is deemed by the dominant party in this country, as the proper subject of a political guardianship to be exerted in our State government.

"This control has been exerted without reference to the good of the State. In fact it has turned out that a majority of our colored population do not so much consider what is best for them as citizens of Mississippi, as they endeavor to please a power outside the State which has acquired a mastery and control over them.

"In this condition of things we are now to act. The end to be obtained is good government—good for the whole people of Mississippi without distinction of race. Whether we shall act without reference to such distinction is not left to our discretion. We are under this limitation in the present State government, and we will be under it when we come to act in framing a new constitution. It comes from a fundamental law of the United States which we can neither evade or change. This law in my opinion will never be changed; or if ever, not in that day when the change will affect present conditions in Mississippi. Whoever looks for relief in that direction will certainly be disappointed."

Senator Walthall opposed a qualified suffrage upon the ground that a number of white voters would necessarily be disfranchised in view of the provisions of the Fifteenth Amendment that prohibited any discrimination between the races. Above all things, however, Senator Walthall was gravely apprehensive that, owing to the wide differences of opinion existing on the subject in the State, the political harmony and unity of the white men would be endangered by heated discussions on the floor of a Constitutional Convention. The proposed measure he regarded as in the nature of an experiment, which would develop difficulties that could not be surmounted, and conflicts of views that could not be reconciled.

The white men in the white counties were not so directly, or deeply, concerned in the question of limiting the suffrage as those in the counties where the negroes were in a large majority. The question of the suffrage would involve the question of representation in the Legislature, which would complicate the situation still further.

The safer and more conservative course, according to Senator Walthall's views, was to make the best of the situation objectionable as it might be, rather than venture upon what he regarded as the dangerous and difficult experiment of calling a convention.

The public discussion of the measure by the two Senators imparted to the situation an extraordinary public interest, and it brought to view the various important questions of constitutional law and of public policy involved in its decision.

The result of the legislative election in November showed that Senator George's policy had received the indorsement of the people of the State.

The Legislature which was elected in November, 1889, passed a bill calling a Constitutional Convention which received, on February 5th, the approval of Governor John M. Stone.

IX.—The Constitutional Convention of 1890.

The Convention assembled in the city of Jackson on Tuesday, August 12th, 1890. It consisted of one hundred and thirty-four members, one hundred and twenty of whom represented the different counties, and districts, the other fourteen having been chosen for the State at large.

Judge S. S. Calhoon, of Hinds county, was elected President of the Convention, and the selection proved in every respect an admirable one. Judge Calhoon was eminently qualified for that responsible and important position. He was a lawyer of high distinction and of large experience. For many years he had presided as Circuit Judge of the Seventh Judicial District, being esteemed one of the best Circuit Judges in the State. He had resigned that position and was practicing law in Jackson at the time of the Convention. Judge Calhoon is a man of broad and conservative thought, with a high sense of justice, and unselfish and patriotic in an eminent degree. Fair and candid in all of his methods, affable and conciliatory in his bearing and tolerant of the views and opinions of others, he was well fitted for the task to which he was assigned.

Judge Calhoon, in assuming the function of President of the Convention, addressed the Convention briefly but with great clearness and candor upon the important question of the suffrage. He recognized the difficulties of dealing with the question.

In speaking of the color line in the politics of the State, he said that the personal and business relations of the individuals of the two races were characterized by mutual sentiments of friendliness, and it was the political relations, and the question of supremacy in government, that produced antagonisms between the white race and the negroes. He said that we had tried the experiment of un-

limited negro suffrage, with patience and forbearance and it had proved a failure. He expressed the confident belief that the Convention would proceed in the consideration of the important question of the suffrage, in a spirit of fairness and justice, and with a view of so adjusting this important subject as not to do injustice to any citizens, but to produce harmonious relations between the races, and to secure the prosperity and happiness of all of the people of the State. There were other public matters of secondary interest that Judge Calhoon alluded to, but he declared that the adjustment of the suffrage, on a basis that would promote the welfare and prosperity of the State, was the question of the gravest importance.

And then began the responsible task that had been assigned to the Convention by the people of the State, that lay along untried ways, of formulating a plan that would not offend any of the provisions of the Federal Constitution, and that would at the same time eliminate from the electoral body the great mass of ignorant and illiterate voters that stood as a constant menace to good government, and to the security and welfare of the whole social structure of the State.

At the same time this task appeared more difficult of solution because of the great variety and divergence of views entertained upon the subject. The great majority of the Convention favored the policy of placing limitations of some kind upon the suffrage, but the most serious difficulties were presented in getting a majority of the delegates united upon a safe and effective measure.

The spirit that pervaded the Convention was one of broad and lofty patriotism, and the ability of its members was of a high order. In the history of the State there had never been assembled in convention a body of men more eminently qualified to deal with a great problem of statesmanship.

Among the prominent and distinguished members of the Convention were its President, Senator J. Z. George, ex-Governor and ex-Senator James L. Alcorn, Hon. John A. Blair, Gen. W. S. Featherstone, Hon. T. S. Ford, Dr. Walter L. Keirn, Gen. Stephen D. Lee, Judge Wiley P. Harris, Hon. Edward Mayes, Hon. Monroe McClurg, Hon. J. S. McNeiley, ex-Chief Justice H. F. Simrall, Hon. R. H. Thompson, Hon. John W. Fewell, Maj. L. W. Magruder, Hon. Charles Lee, Hon. Robert C. Patty, Gen. William T. Martin, Hon. George G. Dillard, Hon. Henry L. Muldrow,

Judge J. B. Chrisman, Hon. Murray F. Smith, Hon. William G. Yerger, Hon. H. M. Street, Hon. J. H. Jones, and Hon. R. A. Dean.

Isaiah T. Montgomery, a colored man and a Republican, was a member of the Convention from Bolivar county. He was a land-owner and a man of high education and of remarkable ability, as was displayed in the debates in the Convention.

Judge Simrall and Hon. Isaiah T. Montgomery were both staunch Republicans, while Governor Alcorn was classed in the tabulated list of members as a Conservative. The other delegates were all classed as Democrats.

Isaiah T. Montgomery and George P. Melchoir were the delegates from Bolivar county. Their seats in the Convention were contested by Col. E. H. Moore and Mr. W. L. Pearson. The majority report of the special committee to whom the matter was referred was in favor of seating the contestants, while a minority report of the committee was in favor of Montgomery and Melchoir. The latter was sustained by the Convention by a vote of seventy-nine to twenty-seven, and the colored man elected to the Convention was given a seat in that body, and given a place on the Committee on the Elective Franchise, the most important of all of the committees of the Convention.

The first decided step taken by the Convention in regard to the suffrage was to refer the question as to the constitutional scope and effect of the Act of Congress of February 23, 1870, readmitting the State to representation, to the Judiciary Committee, of which Hon. Wiley P. Harris was the chairman. The Act of February 23, 1870, provided what were termed "the fundamental conditions" of the readmission of the State to representation in Congress. They are as follows:

> *First.* The Constitution of the State shall never be so changed so as to deprive any citizen of the right to vote, who are now entitled to vote by the Constitution then recognized by the act of Congress, except as a punishment for crime. *Second.* Nor shall any citizen be deprived of the right to hold office on account of race, color, or previous condition of servitude. *Third.* The Constitution of the State shall never be amended so as to deprive any citizens of the right to vote, who are now entitled to vote by State Constitution.

Judge Harris, as chairman of the committee, submitted a unanimous report of the committee to the Convention which was char-

acterized by great clearness and force, in which he demonstrated that a State could not be deprived of its sovereign power to regulate the elective franchise, under the Federal Constitution, by an Act of Congress, nor could such power be limited or diminished by an Act of Congress.

This Act of Congress stood at the threshold of the whole subject of the suffrage, and if it had the force and effect of constitutional legislation by Congress, it was evident that the Convention had no legal power whatever to deal with the question, and the State stood without any remedy for a condition of public affairs that urgently demanded a radical and sweeping reform.

The character of the issue presented invests the report of the committee with so great an interest, aside from its own intrinsic value, that an extended analysis of the views of the committee will be given, together with some general observations on the subject.

The report first deals with the questions in respect to the relations of the seceding States to the Union, and the constitutional theory of the absolute equality of all of the States of the American Union.

There were two theories of constitutional construction entertained in regard to the constitutional authority of a State to withdraw from the Union. One was that each State had, among its reserved powers, the right to withdraw from the Union, and such an act being legal and constitutional in its character had the effect of restoring such State to its original independent sovereignty.

On the other hand, it was contended as the correct interpretation of the organic structure of the Federal Union, that no State had any such power, and that the Union was to be perpetual and indissoluble. According to this theory the State by an act, whether of rebellion or of revolution, had broken its relations with the Federal government, had withdrawn its representatives from Congress, and displaced, during the period of the Civil War the Federal authority from its territorial limits. Theoretically the State had not lost its sovereign capacity as a State of the Union by the act of war against the Federal government.

Under the guarantee clause of the Federal Constitution, it was the duty of Congress to restore the State to its proper relations with the Federal government that had been broken, and upon its

readmission to representation the equality of its powers with the other States of the Union could not be destroyed or impaired by an Act of Congress. The fundamental theory or principle upon which the thirteen original States formed the Union was absolute equality of powers and prerogatives. A union of States possessing different and unequal rights and powers cannot be imagined in our American form of government.

When, therefore, Congress provided for the readmission of the State to representation it could not impair the equality of its powers and sovereignty with the other States of the Union, under the provisions of the Federal Constitution. Originally the States had the power of regulating the elective franchise without any limitations or restrictions, whatever, imposed by the Constitution of the United States. The elective franchise was never conferred by the Federal Constitution, but was granted by the States. This power now remains in the State except so far as it is limited or abridged by the Fifteenth Amendment, and as it is affected in its operation and effect by the Fourteenth Amendment of the Federal Constitution.

Judge Harris explained that the Fourteenth Amendment did not affect in any manner the power of the State to regulate the suffrage, but only reduced the Federal representation of a State that did not enfranchise the negroes. It simply presented to the State the alternatives of negro suffrage or reduced representation in Congress and in the electoral college.

The Fifteenth Amendment did not confer the elective franchise directly upon any voter, but provided that the right of suffrage could not be denied to any citizens by a State on account of race, color or previous condition of servitude.

Under the Federal Constitution, therefore, the State had the constitutional power to place any qualifications, or conditions, on the elective franchise, provided only that they did not discriminate between the races. This, Judge Harris said in the report, was the utmost limits of the operation of the Federal Constitution in respect to the powers of the States over the subject of the elective franchise. Congress has no authority to impose any further restrictions upon this or upon any other constitutional power of a State.

The report cited the case of *Withers vs. Buckley,* decided by the

Supreme Court of the United States in 1857, in which the Court announced the doctrine that Congress could not impose conditions upon which a new State is admitted into the Union that would affect the equality of its powers and sovereignty with the other States of the Union.

The question arose out of an act of the Legislature of Mississippi prescribing regulations for the navigation of one of its streams which flowed into the Mississippi river. In the Act of March 1, 1817, admitting the State into the Union, Congress had provided, as one of the conditions of its admission, that the Mississippi river and its navigable tributaries should be forever free and open to navigation to all the people of the United States. Mr. Justice Peter V. Daniel, in delivering the opinion of the Court, said:

> "Clearly Congress could exact of the new State the surrender of no attribute in her character as an independent sovereign State, or as necessary to her equality with her sister States, necessarily implied, or guaranteed by the nature of the Federal compact."

The Court held that the State statute did not affect the navigation of the Mississippi river or its tributaries, and technically the case "went off" on this ground. While this expression of the Court on the constitutional question was an *obiter dictum,* nevertheless it was a declaration from the greatest judicial tribunal in the world, and of nine eminent jurists on a great question of constitutional law, and as such was entitled to great consideration in the determination of the subject then before the committee.

Finally the committee declared that it was the unalterable opinion entertained by all of its members, that Congress had no constitutional authority to impose upon the State the conditions, enumerated in the Act of February 23, 1870.

The report of the committee was accepted by the Convention as containing a correct interpretation of the constitutional authority of the State to thus deal with the question of the suffrage.

With this question out of the way, the Convention proceeded with the consideration of the suffrage. This subject was deemed of such importance that the Committee on the Elective Franchise and Representation was allowed to hold its meetings while the Convention was in session.

There were a great number of different measures proposed in

relation to the suffrage, very few of which appear in the *Journal* of the Convention. All propositions relating to the subject were referred without debate to the Committee on Elective Franchise.

Unfortunately the debates in the Convention do not appear in the *Journal* of its proceedings, and nothing appears in its proceedings to show the motives and the views of the individual delegates in dealing with the suffrage, or other questions that came before the Convention. The prevailing tone of the Convention was patriotic and conservative, and the debates were characterized by great candor and fairness.

The exact condition of public affairs was recognized as unsatisfactory in respect to the irregularities in election methods, and the animating spirit and underlying purpose, as displayed in the debates, was to place elections at once upon a fair and legal basis, by providing a just and constitutional remedy for the evils resulting from unlimited negro suffrage.

As Judge Calhoun said, in his opening address to the Convention, for fifteen years the white men of the State had struggled ineffectually with the problem of negro suffrage, without any sentiments of personal unfriendliness to the negroes, and it was clear to the Convention that the white men could not divide, or abandon the compactness of their organization, in the presence of a negro majority.

The former experience in he State with unlimited negro suffrage from 1870 to 1875 under the auspices of a Republican State administration, had demonstrated the fact that the negroes were not content to vote their white leaders into office, but each year of their power witnessed the extension and audacity of their demands, and their growing desire to dominate the entire political situation in the State.

After 1875 the leaders of the Republican party, white and colored, stood ready, at all times, to seize any opportunity that presented itself to gain control of public affairs in the State. The year 1881 witnessed a formidable and determined effort on the part of the Republicans and a few Greenbackers, in coalition, to get control of the State government.

Confronted with this large negro majority, that stood as a constant menace to good government, and consequently as a menace to all of the great moral and material interests of the State, to its

very civilization in fact, it is not surprising that in the presence of these apprehensions the white men stood solidly together, nor is it surprising that repression, intimidation, and other irregular or illegal devices were used to overcome the negro majority. Those methods were deprecated by the best class of citizens in the State, but argument and expostulation were alike ineffectual for their prevention, as long as the negroes held so large a vote in the electoral body in the State. It was recognized by the Convention that the conditions attending the suffrage at that time could not endure permanently, nor could they be continued without the most injurious consequences to the people of the State.

Every consideration affecting the public welfare most urgently demanded that constitutional and legal measures should be provided by which the legality and fairness of elections should be assured, and the State placed beyond the dangers that attended the practical operation of unlimited negro suffrage. The confident expectation was expressed by the great majority of the members of the Convention, that a qualified suffrage would secure fair and legal elections, and that the result would be for the welfare and happiness of the people of the State. It was also urged that peaceable and fair elections on the basis of a qualified suffrage would be far better for the whole people, including the negroes themselves, than unlimited suffrage, attended as it was by political antagonisms between the races, and tumults and disorders in the State.

The question was not to be settled by theoretical requirements in respect to the abstract rights of individuals, but upon practical conditions that were fundamental and dominating in their character. Upon this basis, and upon a broad view of the best interests of all of the people of the State, taking the general welfare as the dominating consideration, the Convention proceeded with the work of reforming the suffrage.

The most formidable difficulty encountered in the Convention in the way of formulating a scheme for a qualified suffrage was, that any measure which conformed to the requirements of the Fifteenth Amendment and which applied to the two races without discrimination, would necessarily disfranchise a number of white voters in the State.

An educational qualification would exclude from the suffrage about five thousand white voters in a total white voting popula-

tion of about one hundred and thirty thousand. A property qualification to be effectual would disfranchise a larger number of white voters.

The natural disinclination to disfranchise white men upon either of these grounds, or for any reason, except for the commission of certain crimes, was not to be underrated in dealing with the suffrage question. It was argued that there were many illiterate white voters in the State who were good citizens in all respects, who had accumulated property and who were tax payers. It was humiliating to white men to deprive their white fellow citizens of the elective franchise, which was one of the constitutional prerogatives that they had always enjoyed.

Another consideration that arose in the discussion of the suffrage, was the question of the Federal representation of the State. That question had gone through some curious phases. Under the Federal Constitution, before the recent amendments, the Southern States had Federal representation based upon the entire white population, and upon three-fifths of the entire slave population, which constituted a political power based on the ownership of property. This peculiar constitutional provision was placed in the Federal Constitution originally in order to give the Southern States additional assurances of the immunity of the institution of slavery from interference by Congress.

Upon the emancipation of the slaves the Southern States became entitled to Federal representation based upon their entire white and negro populations.

The Fourteenth Amendment provided that Federal representation should be reduced in those States where the suffrage was not conferred upon the negroes. That clause of the Amendment was never put into operation, for upon the adoption of the Fifteenth Amendment, negro suflrage was confirmed by the prohibition aganst any racial discriminations by the States in regulating the elective franchise, and that the Federal representation of the States, according to the operation of Federal constitutional law, was placed upon the basis of the entire population of each of the States.

The question was considered by the Convention whether the Federal representation of the State would be affected by placing qualifications upon the suffrage, but no action was taken on the

question, nor was there any expression of opinion by the Convention on the subject. Judge Wiley P. Harris, in the report of the Judiciary Committee, alluded to the subject in a manner which indicated that this question might arise, but the report does not contain any expression of opinion in respect to the merits of this question of constitutional law.

The general consensus of opinion among the members of the Convention was that the qualification of the suffrage, and the permanent establishment of the State government upon the basis of an intelligent electoral body, was of higher consideration and of more profound concern to the people of Mississippi than any question affecting the Federal representation of the State in Congress and the electoral college. So that whatever may be the final issue of the question of the Federal representation of the State, the Convention wisely, and patriotically, proceeded with the consideration of the question which so deeply concerned the domestic welfare of the State.

The Convention was not to be turned from its course by any apprehensions, however well founded, of the loss of Federal representation, which compared with the suffrage, was a question of secondary consideration.

Another question of importance, which related to the subject of the suffrage was the representation of the several counties in the Legislature. At that time the balance of power in the State was west of the Illinois Central Railroad, owing to the fact that representation was then based on the entire population of each county. This gave the preponderance of power in the Legislature to the counties having a large negro population.

The session of the Convention was protracted, extending from August 12 to November 1, and during a great part of this time it looked as if there could be no concurrence of views effected by a majority in favor of any particular measure that would prove effectual.

The Convention upon its organization had appointed a committee on the Elective Franchise and Apportionment, which was composed of the following delegates: R. C. Patty, of Noxubee, chairman; J. Z. George, of Carroll; James L. Alcorn, of Coahoma; William T. Martin, of Adams; Samuel Powell, of De Soto; L. W. Magruder, of Warren; R. G. Hudson, of Yazoo;

Frank Burkitt, of Chickasaw; W. C. McLean, of Grenada; George H. Lester, of Yalobusha; W. C. Richards, of Lowndes; R. H. Allen, of Tishomingo; J. A. Blair, of Lee; W. A. Boyd, of Tippah; J. S. McNeily, of Washington; J. B. Booth, of Panola; John M. Simonton, of Lee; R. A. Dean, of Lafayette; Monroe McClurg, of Carroll; H. S. Hooker, of Holmes; W. H. Morgan, of Leflore; John H. Reagan, of Newton; G. T. McGehee, of Wilkinson; J. P. Carter, of Perry; James R. Binford, of Montgomery; Thomas P. Bell, of Kemper; H. M. Street, of Lauderdale; W. P. Harris, of Hinds; D. T. Guyton, of Attala; J. R. Puryear, of Tate; L. P. Reynolds, of Alcorn; J. P. Robinson, of Union; Oliver C. Watson, of Winston; Charles Regan, of Claiborne, and Isaiah T. Montgomery, of Bolivar.

The personnel of the committee represented all of the different sections of the State and the various views and interests involved in the adjustment of the suffrage, and in the apportionment of representation in the State,—the two most difficult and important subjects that were before the Convention.

Many differences of views were entertained by the different members of the committee, which it required great tact and patience to harmonize. Senator George and Judge Calhoun, both of whom were conservative, patient and conciliatory in their methods, exercised great influence in affecting the final adjustment of the suffrage question. Senator George had a more extensive personal influence than any other member of the Convention, but his efforts were largely and effectively aided by the sagacity and patriotism of many other members of ability and distinction.

Finally, after a long discussion in the Franchise Committee, in the effort to harmonize the conflicting views of its members, a sub-committee formulated a Franchise Article containing all of the features of the article finally adopted by the Convention, except the postponement of the operation of the educational and understanding clause until January 1, 1892, instead of January 1, 1896, as proposed by the committee and the substitution of a $2.00 poll tax for a $3.00 poll tax, which was also proposed by the committee. The committee also reported a basis for the reapportionment of the legislative representation; also an election ordinance containing substantially the Australian ballot law.

Upon the receipt of the report of the Franchise committee

recommending the adoption of the Franchise Article, which accompanied the same, a protracted debate began upon the floor of the Convention, which extended to every phase and view of the subject.

There were two parties in the Convention, one that stood for the general proposition that some effective qualifications should be placed on the suffrage, and the other, a vigorous minority, that opposed all measures proposed that would affect the right of suffrage of any white man in the State.

Among the prominent delegates in the Convention who favored an effective qualification of the suffrage were Senator J. Z. George, Judge S. S. Calhoun, General William T. Martin, Maj. W. L. Magruder, Judge J. W. Fewell, Ex-Gov. James L. Alcorn, Judge Wiley P. Harris, Hon. Edward Mayes, Ex-Chief Justice H. F. Simrall, Judge J. B. Chrisman, Gen. W. S. Featherston and Hon. Isaiah T. Montgomery. All of these delegates and many others of high character and ability advocated a qualified suffrage.

Great opposition was at first manifested against the proposed plan for the reapportionment of the legislative representation. This stood in the way of an agreement among the advocates of a qualified suffrage upon the Franchise Article proposed by the Franchise Committee.

This basis of reapportionment was an additional safeguard to the Franchise Article, and was intended to place the legislative department of the State upon the basis of a safe and intelligent constituency.

The justness and fairness of this measure is apparent, placing, as it does, the representation in the Legislature largely upon the voting population of each county and not upon the entire population.

The Constitution was voted on by the Convention on November 1, 1890, as a whole, upon a call of the roll, and was adopted by a vote of one hundred and four yeas to eight nays, there being absent and not voting twenty-one delegates. Among those voting for the Constitution were Hon. James L. Alcorn, Judge H. F. Simrall and Hon. Isaiah T. Montgomery.

One of the most interesting events that occurred during the debates of the Convention was the speech of Isaiah T. Montgomery in favor of placing qualifications upon the elective franchise.

It was characterized by great force and clearness and deep earnestness. He said that his position was, apparently, one of unfriendliness to his own race, but that he was compelled to support the measure because of his sincere conviction that it was better, not only for the white people, but for his own race as well, that illiteracy should be eliminated from the electoral body in the State; that this would remove in a large degree the political antagonism between the races and secure a condition of tranquility and permanent stability of good government in the State. In concluding he declared that whatever sacrifices and concessions he had made as a member of the Franchise Committee were in the true interests of his people, and with a view to the restoration of that confidence between the races which is essential to the harmony and prosperity of both. The speech was listened to throughout with marked attention, and was regarded as a clear and comprehensive presentation of the subject.

Both Governor Alcorn and Judge Simrall were men of high character and ability. They were among the ablest and most distinguished public men of the State.

The members who voted against the Constitution were: B. B. Boone, of Prentiss county; Frank Burkitt, of Chickasaw county; C. S. Coffey, of Jefferson county; John E. Gore, of Webster county; William T. Martin, of Adams county; A. J. McLaurin, of Rankin county; H. J. McLaurin, of Sharkey county, and A. G. McLaurin, of Smith county. The reasons for their votes do not appear in the proceedings of the Convention. All of these delegates signed the constitution after its adoption, except Gen. Martin, Hon. Frank Burkitt and Hon. John E. Gore, the grounds of their refusal not appearing on the *Journal*. Hon. A. G. Webb, the delegate from Marion who did not sign the Constitution was absent. Hon. N. D. Guerry, of Lowndes, died during the session of the Convention.

The following interesting passages are quoted from the address of Judge Calhoun delivered at the close of the work of the Convention:

"Our mission here has been accomplished as best it could be upon the adjustment of the various opinions and interests of the various sections of Mississippi. Restricted by the Federal Constitution, we have tried to secure a more enlightened election franchise without race discrimination or injustice.

"We knew when we assembled that the nation will yet learn that it is

hardly possible for any two of the distinct types of mankind to co-exist with divided political sovereignty. The hopelessness of the complete success of such an experiment is illustrated in all history, and proved by all reasoning from natural laws. Still it falls to our lot to repeat the effort. We will do our part in good faith, and the failure, if it shall come, will not be the fault of either race, but will result from the laws of our being, which impel each to combine to achieve or resist the domination of the other.....

"In the exercise of the right of suffrage it was to be expected that there would be occasional disturbances and local conflicts between the two races. These have occurred in the past, but in fewer instances, no doubt than would have taken place under like circumstances in any northern State. We hope to see none in the future.

"Political partisanship has naturally prevented an impartial view of our situation. This we cannot avoid. We can only say to our sister States that, doing the best we can, we sit patiently under the flag and await events. To that flag we are true because we have aided in garlanding it with glory which hangs about its folds. To the Union we are true because the cement of the whole is the blood of our ancestors. It is a Union of strength, and should be a Union of love to all of its States and sections.

"We say to our brethren of the North, East and West, that we are willing to bear cheerfully our full share of the public burdens, to pour out our blood in equal measure for the common defence, to share in the misfortunes and rejoice in the welfare of our sister States; even willing at their behest to try the dangerous, and probably impracticable scheme of dividing political power with another and outnumbering race; willing to do all things except to yield up the common civilization of our common country, which civilization was constructed, has been maintained, and can be continued only by the white race.....

"I look in vain for any instance of African contribution to the disclosure of undiscovered truth, tending to ameliorate the individual or social condition of man.....Withdrawn from the development of white civilization the negro race seems unable to retain even its own initiative acquirements. It seems unfit to rule.....Yet confronted with this sad trial, it is our duty under the Constitution of the United States to undertake the great task of carrying on intelligent republican government in Mississippi with his full co-operation, and with his rights and franchise as guaranteed by the organic Federal compact, not only unimpaired, but fully protected.

"I may congratulate this Convention and Mississippi upon the spirit of consideration and moderation which has prevailed and ruled over our deliberations. Indeed it has seemed to me that the weight of responsibility arising out of the political situation of the State, the profound sense of duty of those summoned to relieve the strain upon it, have held the delegates steadfast to their work. Certainly individual dispositions have been tempered, and aspirations toned down far beyond that of any preceding deliberate body within my knowledge.

"To this state of temperament within this body is to be attributed the practical success of the Convention, to which all of the delegates, singly and collectively, have contributed.

"Whatever may be the judgment of the measure of success attained, it has been at least enough to dispel the fears and doubts of those who questioned the wisdom of the call of the Convention.....In my judgment, the material and moral advancement of the people of both races here depend on the predominance in government of that virtue, and intelligence, which, for the present at least, can come only from that race which in the past has shown a capacity for the successful administration of free institutions. That race alone can now safely exercise the function of ruling with moderation, and justice, and accomplish the great purpose for which governments are established."

Thus the work of the Convention was happily ended, and the elective franchise was placed upon a safe basis and within the limitations of State power prescribed by the Federal Constitution.

X.—The Mississippi Constitution.

The provisions of the State Constitution of 1890 relating to the elective franchise are of such importance that an analysis of them will prove of interest.

An elector must reside in the State for two years and in the election precinct for one year. All taxes, including a poll tax of two dollars, for the two years preceding the one at which an elector offers to vote, must have been paid on or before the first day of February of that year. An elector must also have been registered at least four months prior to the election at which he offers to vote.

Another qualification of the suffrage is that the voter must "be able to read any section of the Constitution of the State; or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof."

The poll tax cannot be collected out of any property which is itself excepted from taxation. In connection with this provision of the Constitution it will be observed, that there is a general statute of the State which exempts certain enumerated property from taxation, such as wearing apparel, household provisions, a limited amount of furniture, live stock and the like.

The Supreme Court of the State held in the case of *Ratliff vs. Beale* that the property thus exempt from taxation cannot be subjected by any proceedings to the payment of the poll tax. Another provision of the Franchise Article declares that, "No criminal proceedings shall be allowed to enforce the collection of the poll tax." In addition to these conditions or limitations of the suffrage, a conviction for bribery, burglary, theft, arson, obtaining money under false pretenses, perjury, forgery, embezzlement and bigamy, exclude a voter from the elective franchise.

Finally by an Election Ordinance the Constitutional Convention put in force, substantially, what is commonly known as the Australian ballot law, which preserves the secrecy of the ballot. This

became by its terms subject to repeal or modification by the Legislature after January 1, 1896, but no act of the Legislature can affect the provisions of the Franchise Article of the Constitution.

It is thus seen that the provisions in respect to the poll tax as intended by the Convention and as correctly construed by the Supreme Court make the payment of that tax entirely voluntary with that large class of voters who own no property which is of itself subject to taxation. Their property cannot be taken for the poll tax and no criminal proceedings are allowed for its collection, and the only consequence of the failure to pay this tax is the loss of the elective franchise while the delinquency continues. In a word, this class of voters is allowed to vote upon the payment of the poll tax for two years on or before the first day of February of the year in which they offer to vote: or they may at their option decline to pay the tax with the loss of the elective franchise while thus delinquent.

The condition of residence in the election precinct for one year excludes a large class of voters who are thriftless and who have no steady employment, and who are constantly moving from place to place.

The condition for registration four months prior to the election excludes many voters who are indifferent, and who take little or no interest in public affairs. This provision also secures ample time for registration before an election in order that the registration may be fairly and properly done, and not in the heat of a political canvass.

Section 248 of the Franchise Article provides that:

> "Suitable remedies, by appeal or otherwise, shall be provided by law to correct illegal, or improper registration and to secure the elective franchise to those who may be illegally or improperly denied the same."

The Legislature at its first session after the Constitutional Convention provided proper and ample legislation for carrying this provision of the Constitution into effect.

So that there can be no arbitrary exclusion of any voter from registration. The question of his eligibility, and of his constitutional right to the elective franchise is not left to the final decision of the registrar, but he is given an appeal to the courts where his rights may be judicially determined according to the correct constitutional law of the State.

The criticism that has been made against what is commonly termed the "understanding clause" of the Franchise Article of the Constitution cannot be sustained. These strictures have been made upon the motive, or ulterior purpose, which the Convention had in view in its adoption, and it has been assumed that the purpose was to evade by indirection the terms of the Fifteenth Amendment, which forbids discrimination between the races in the application and execution of a constitutional provision, when the same result could not be accomplished by direct constitutional enactment. This assumes that this provision of the Constitution was intended to be dishonestly and unfairly administered by the officers charged with its execution. No law impartial in its terms can be subject to a criticism of this character.

Every provision in the Mississippi Constitution applies equally, and without any discrimination whatever, to both the white and the negro races. Any assumption, therefore, that the purpose of the framers of the Constitution was ulterior, and dishonest, is gratuitous and cannot be sustained. It cannot be presumed that a constitutional convention of a great and sovereign State, legislating upon a most vital and important subject, and within the limits of its constitutional powers and authority, enacting a measure fair, impartial and non-discriminating in its terms, was actuated by a sinister motive, and an unjust purpose or contriving a scheme with the intention of having it used for an unfair purpose.

Moreover, the qualifications in respect to age and residence are to be decided by the election officers, and while their decisions might be discriminating and unfair it is outside the whole range of proper theories of construction, and interpretation, to attribute to the Convention any unfair purpose in the enactment of those provisions.

The Eighth Amendment to the Connecticut Constitution, ratified in the year 1845, required that each voter "shall sustain a good moral character." And by the Eleventh Amendment to the Constitution of that State, ratified in the year 1855, the additional qualification was added that each voter shall be able to read any article of the Constitution of the State.

The question of good moral character, upon the line of criticism alluded to, presents as broad a field for unfair and dishonest decision as that afforded by the "understanding clause" of the Mis-

sissippi Constitution, but it cannot be justly assumed that such a clause was placed in the Constitution of Connecticut for dishonest or unfair purposes, nor that the abuse of the provision in its execution would bring discredit to the purposes or motives of the framers of that Constitution. No such criticism in the history of the country was ever made of the action of the people of that State in adopting that qualification of the elective franchise, and nobody, certainly nobody outside of Connecticut, has ever questioned the propriety of that measure.

The decision of the officials charged with the duty of registering voters and of holding elections in Mississippi, in respect to the qualifications of voters, is not final or exclusive, and any elector unjustly or illegally denied the right to vote may vindicate his rights in the courts of the State.

It can never be assumed that the judiciary of the State will not maintain, and enforce, the Constitution of the State with judicial fairness and impartiality.

It may be safely asserted as a fact that this provision of the Constitution is administered by the election and registration officials fairly and honestly, and without discriminating between the races. It is also a fact that very few illiterates of either race present themselves for registration. Comparatively few white men are willing to expose their illiteracy publicly and they are generally of a class who take no special interest in public affairs and attach no great value to the elective franchise, though there may be worthy exceptions.

In the county of Hinds, the most populous in the State, and where the Capital of the State is located, a county having a white voting population of at least three thousand, there are not more than ten or twelve white illiterates who have registered under this clause of the Constitution.

Hon. Wiley P. Harris originated this "understanding clause" of the Constitution, and Hon. Edward Mayes, a distinguished member of the Convention, has in his possession the original draft of this provision in Judge Harris' handwriting. Senator J. Z. George advocated that clause as the means by which he secured the strength necessary in the Convention for the adoption of the Franchise Article of the Constitution. It was used by him as a *modus vivendi* in the critical period in the Convention when it was

feared that no concurrence of views could be reached on any effectual measure by a majority of the Convention.

Its importance in its actual operation does not justify the criticism that it has received. It answered a useful purpose by bridging over a weak spot in the human nature of the Convention.

Mississippi was the first of the Southern States to venture upon the measure of a qualified suffrage, and in this initial movement it was not an easy task to secure the adoption of an effectual measure which would disfranchise any considerable number of white voters.

Looking back to the situation of public affairs in the State at the time of the Convention of 1890, and reviewing the various difficulties that the advocates of a qualified suffrage encountered in that Convention, in effecting the enactment of the Franchise Article of the Constitution, their action cannot be fairly criticised upon a detail of minor significance, and more especially when it is understood that it served a useful purpose in effecting the final achievement.

The Convention had thus finally overcome every difficulty. It had after careful and patient investigation disregarded correctly the Act of Congress of 1870, for the readmission of the State, and it had devised a Constitutional measure that would prove effectual in relieving the State for a long period from the dangers of unlimited suffrage.

The Convention had worked close up to the Federal representation clause of the Fourteenth Amendment, but as a question of statesmanship affecting the public welfare of the State, the question thus presented was not comparable in importance to reforming the suffrage.

It would have seemed that this action of the State in thus dealing with the suffrage within the limits of the sovereign powers left in the State by the Fifteenth Amendment, would not be assailed either upon the ground of fairness on propriety, or upon any supposed objection in respect to its unconstitutionality.

But it was destined to become the subject of a great debate on the floor of the Senate of the United States in the Fifty-first Congress between Senator Hoar, Senator Hawley, Senator Edmunds, Senator Evarts and Senator Spooner on the one side, and Senator J. Z. George, then the senior Senator from Mississippi, on the

other side in defense of the Constitution of Mississippi. That celebrated debate occurred while the Senate had under consideration a bill to amend the election laws of the United States, which was commonly known as the Force Bill, and which was regarded as a partisan measure of the Republican party, and designed to place Congressional elections under the supervision of Federal officials.

XI.—The Debate in the United States Senate.

There were four criticisms made by the Republican Senators upon the Constitution of Mississippi.

It was said that the whole scheme was to disfranchise the negro; that the "understanding clause" was a subterfuge, and was intended to enable the registrar, as he was termed by the Republican Senators in the debate, who decided upon the qualification of the voters, to discriminate against the negroes; that there was no appeal from the decision of this official and that his decisions, however arbitrary and unjust, were final; that the basis of the legislative apportionment was unfair and discriminated against the counties with large negro populations; and, finally, that the Constitution had not been submitted to the people of the State for ratification.

Senator George's treatment of the subject is comprehensive, elaborate and exhaustive. It displays the deepest research. Its tone is lofty and dignified, its temper calm and dispassionate, and its reasoning, in defense of the Mississippi Constitution, is unanswerable.

The speech on the main proposition, the effect of the qualification of the suffrage on the negro voters of the State, and the purpose of the Constitutional Convention in limiting the suffrage, contains a comprehensive and graphic review of the legislation of the Northern States on the subject of the suffrage and the negro down to the adoption of the Fifteenth Amendment.

Senator George did not content himself with general assertions, but cited the Constitution of each State and quoted its provisions in order to demonstrate the correctness of his statements. Before beginning his review of the constitutional law of the Northern States on this subject, Senator George said that after a fair trial and after beginning originally with universal suffrage, the

judgment of the American people, with the exception of two of the New England States, where there are few if any negroes, was that the negro race was not a safe depositary of political power and could not safely be entrusted with the elective franchise.

In Mr. Hoar's State, Massachusetts, the negro was never given the franchises until the adoption of the Fifteenth Amendment. This was also the case in Senator Edmund's State, Vermont, and in Connecticut, the State of Senator Hawley, and in New York, Mr. Evarts' State; while in Wisconsin, Mr. Spooner's State, the negro was enfranchised in 1866 by the belated decision of the Supreme Court of that State construing the State Constitution of 1846.

Senator George cited and quoted the constitutional provisions of the various Northern States that had denied the right of suffrage to the negroes from the earliest days of the Union, and he followed all of the changes or modifications that were made in the elective franchise provisions of their Constitutions. Nothing escaped the scrutiny of his long and patient research of the precedents furnished during the whole period from the foundation of the Union, showing how each Commonwealth of the North had considered and dealt with the question of negro suffrage down to the time when unlimited negro suffrage was made the basis of reconstruction in the South, and even after that event and until the adoption of the Fifteenth Amendment in the year 1870. He pointed out the fact that from the year 1865 to the adoption of the Fifteenth Amendment the proposition to extend the suffrage to the negroes was defeated by a popular vote in six Northern States. In the year 1860 in New York, then a Republican State, after Mr. Lincoln's nomination, and at a time when Mr. Seward, a great Republican leader, was at the height of his political power, a proposition for negro suffrage was defeated at a popular election by a majority of over 140,000 votes. In 1868 an amendment was submitted by the New York Legislature to the people for equal and impartial negro suffrage which was defeated by a majority of more than 40,000 votes.

That was after the Reconstruction Acts and after the National Republican Convention of 1868, that nominated General Grant for the Presidency, had declared in its platform that while negro

suffrage must be forced by national authority upon the South, it was to be left to the Northern States to decide whether it would accept or reject it.

In concluding this subject Senator George said:

"So that, Mr. President, from the year 1865 up to the time of the adoption of the Fifteenth Amendment elections were held in the State of Connecticut upon the subject of negro suffrage, and defeated; in Ohio and defeated by a large majority; in Illinois and defeated by a large majority; in Wisconsin and defeated by a large majority; in Michigan and defeated by a large majority; in New York and defeated by a large majority. Thus showing that while our Northern friends thought negro suffrage was good enough for us where these ten negroes, or thirty negroes, or one hundred negroes, to one, in those States, it was a blesing which they could not accept for themselves."

Senator George then proceeded to show what were the views entertained by many of the most eminent leaders of the Republican party on the subject of negro suffrage as late as the year 1866. Hon. Preston King, a Republican Senator from New York and a man of distinguished ability, said in regard to the provisions of the first Constitution of Oregon, which denied to the negroes many civil rights:

"I certainly would not be in favor of encouraging the immigration ot any considerable number of black men to settle and live among a white population. I think it is to the interest of both races that they should live apart."

Hon. Lyman Trumbull, a distinguished Republican Senator from Illinois, said upon the occasion of the admission of Oregon:

"I by no means assent to the doctrine that the negroes are required by the Constitution of the United States to be placed on an equal footing in the States with white citizens."

Mr. Thaddeus Stevens, the leader of the Republican party in the House of Representatives in 1864, when the first reconstruction measure was before Congress, said:

"Now I hold that the States have the right, and always have had it, to fix the elective franchise.....and I hold that it does not take it away from them. Ought it to be taken from them? Ought the domestic affairs of the States to be infringed upon by Congress so far as to regulate the restrictions and qualification of their voters? How many States would adopt such a proposition? How many would allow Congress to come within their jurisdiction to fix the qualifications of their voters? Would New York? Would Pennsylvania? Would the Northwestern States? I am sure that no one of them would."

Mr. Stevens changed his view upon this question two years later when the Fourteenth Amendment was under discussion.

General Banks favored reconstruction in 1867 without negro suffrage.

Mr. Garfield favored an intelligent negro suffrage as late as 1866.

Mr. Fessenden, of Maine, who was on the Reconstruction Committee of the Senate, in defending a scheme reported by the committee for reconstruction without negro suffrage, said:

"I think the honorable Senator from Massachusetts himself [Mr. Sumner], who is the great champion of universal suffrage, would hardly contend that now, at this time, the whole mass of the population of the recent slave States is fit to be admitted to the exercise of the right of suffrage."

Speaking in the Senate of the United States in respect to the constitutional powers of the States to regulate the suffrage, and the infringement of that power by Congress, Mr. Conkling said:

"It trenches on the principle of local sovereignty. It denies to the people of the several States the right to regulate their own affairs in their own way. It takes away a right which has always been supposed to inhere in the States and transfers it to the General Government. It meddles with a right reserved to the States when the Constitution was adopted and to which they will long cling before they will surrender it. No matter whether the innovation be attempted in behalf of the negro race or any other race, it is confronted by the genius of our institutions. But more than this, the Northern States, most of them, do not permit negroes to vote; some of them have repeatedly and lately declared against it."

The Reconstruction Act which was passed by Congress in 1864, which did not become a law for the reason that it was presented to Mr. Lincoln only an hour before the adjournment of Congress and was returned by him without the Executive approval, proceeded upon the basis of an exclusive white suffrage.

Mr. Lincoln never favored unlimited negro suffrage.

As early as 1864 there was a group of eight or ten Senators, among whom Mr. Sumner was the most prominent, who favored negro suffrage, but up to the discussion of the Reconstruction Acts in 1867, the debates in Congress show that the great majority of the Republican leaders did not favor negro suffrage.

Mr. Boutwell used the argument in 1867 in favor of negro suffrage in the South, that it would keep the negroes in the South, and would prevent them from immigrating to the Northern States. That was apprehended by the Northern people upon the emancipation of the negroes.

Mr. Mr. Boutwell said on this subject:

"And I bid the people, the working people of the North, the men who are struggling for subsistance to beware of the day when the Southern freedmen shall swarm over the borders in quest of those rights which should be secured to them in their native States. A just policy on our part leaves the black man in the South where he will soon become prosperous and happy. An unjust policy forces him from home and into those States where his rights will be protected to the injury of the black man and the white man both of the North and the South."

In combating these apprehensions, Mr. Lincoln said in a message to Congress that the mutual interests of the two races would in his opinion keep the negroes in the South, but in any event the Northern people could decide whether to receive them. In that message Mr. Lincoln favored the colonization of the negroes.

To show the purposes and motives of the Republican party in forcing negro suffrage on the South, Senator George alluded to the speech of Mr. Stevens in the House of Representatives in the year 1866 when the Fourteenth Amendment was under consideration, in which Mr. Stevens said with his characteristic candor:

"Have not loyal blacks quite as good a right to choose rulers and make laws as rebel whites?.....Another good reason [for negro suffrage] is it would insure the ascendency of the Republican party. Do you avow the party purpose? exclaims some horror stricken demagogue. I do; for I believe in my conscience that on the ascendency of that party depends the safety of this great nation. If impartial suffrage is excluded in the rebel States then every one of them is sure to send a solid rebel representative delegation to Congress and cast a solid rebel electoral vote.....They, with their kindred copper-heads of the North, would always elect a President and control Congress.....I am for negro suffrage in every Southern State. If it be just it should not be denied; if it be necessary, it should be adopted; if it be a punishment to traitors, they deserve it."

"That," said Senator George, "was the language by which that great commoner stimulated his followers to enact the Reconstruction laws."

During the same debate, Mr. Garfield, afterwards the President of the United States, in advocating the reconstruction laws imposing negro suffrage on the South as the basis of reconstruction, said:

"But, sir, the hand of God has been visible in this work, leading us by degrees out of the blindness of our prejudice to see that the future of the Republic, and the safety of the party of liberty are inseparably bound up with the rights of the black man. At last our party sees that if it would preserve its political life, or if we would maintain the safety of the Republic, we must do justice to the humblest man in the nation whether white or black."

Mr. McCulloch, Secretary of the Treasury in the Cabinets of Mr. Lincoln, Mr. Johnson and Mr. Arthur favored negro suffrage with property or educational qualifications.

Senator George in concluding his reference to the opinions of Republican leaders, said:

"Of course I might read for hours if I were to take the little men who abused the South, but I read only from those who were eminent, whose words controlled the policies of their party, and, unfortunately for us, controlled the destinies of the country."

The defense of the educational and understanding clauses of the Franchise Article of the Mississippi Constitution is unanswerable in its logic and analysis, as well as in the variety and abunance of the precedents cited for their vindication. This branch of the subject was opened by the presentation of the suffrage provisions of the Constitution of Connecticut, Senator Hawley's own State.

In 1776, the Constitution of Connecticut prescribed a property qualification for suffrage, and also required that the voter should be of "good moral character." The property qualification was eliminated by an amendment in 1845, but the good moral character qualification remained.

Vermont also had the qualification of "good character." And by its first Constitution required that an elector should be of "quiet, peaceable behavior." In Rhode Island, by the provisions of its Constitution of 1842, the selectmen of the towns had the power to select the voters, and the suffrage was not given as a constitutional right, but was conferred by these municipal authorities as a privilege.

Senator George reviewed at length the Constitutions adopted by the reconstruction governments in the South to show that they contained qualifications in regard to the suffrage relating in various ways to giving aid and comfort to the Confederacy that were vague and indefinite, and largely susceptible of different constructions or interpretations in their execution and application by the officers charged with their execution.

Finally he cited provisions in the Reconstruction Acts of a similar character. Senator George submitted an argument of great force and dignity to show the entire sincerity of the motives of the Convention in adopting the "understanding clause" of the

Constitution. He described a class of illiterate white men in the South who were thrifty and industrious, patriotic and intelligent, who took a deep interest in public affairs and good government, who could not be regarded as unworthy of the suffrage. He declared, as his conviction, that the whole history of American constitutional law proves that this illiterate but intelligent white man has never been regarded, in the judgment of the American people, as an unsafe depositary of political power.

He explained that it was not an academic understanding of the State Constitution that was required by this clause of the Franchise Article, not the understanding of a constitutional lawyer, but a popular understanding of constitutional government. He pointed out that it was the kind of understanding required and contemplated by the provision of the Federal Constitution that required Federal and State officers to take an oath of office to support the Constitution of the United States. In order to support the Constitution they must understand it, and it is the common and popular understanding of the Constitution that is meant, and not a professional knowledge of its technicalities and refinements.

Senator George made the following quotation from a speech of Senator Butler, of South Carolina, in the Senate in 1884, on the subject of education and illiteracy:

> "But, Mr. President, what is education? What is illiteracy? Every illiterate man is not necessarily an ignorant man. One of the wisest men within my acquaintance in my county, one of the most progressive, one of the most practical, one of the most public-spirited and patriotic citizens in that county can not read or sign his name. No, sir, literary—if I may use the word—is not wisdom. It is not invariably accompanied by honor and truth and courage. A man may be illiterate in the ordinary acceptation of that term and yet highly educated in all those qualities that go to make up true manhood. I have in my mind now a half dozen men of that character, worthy associates of the most pretentious of the literati, the superiors of many of them. Therefore, when you talk about illiteracy, you ought to discriminate between an illiterate and an ignorant man, for an illiterate man is not necessarily ignorant."

Proceeding to the subject of legislative apportionment as provided for in the Mississippi Constitution, Senator George explained that it was substantially based upon the voting and not upon the total population of the counties and districts in the State, thus forming a fair and just basis for representation in the Legislature. And, by comparison, he showed the inequalities of the legislative apportionments in Connecticut, Massachusetts, New York, and other Northern States.

In answer to the objection that the Constitution of Mississippi left the question of the qualification of each voter under the "understanding clause" to the arbitrary and final decision of one official, the registrar, he explained that the Constitution made no mention of such an official, and conferred no such arbitrary power upon any election official. On the contrary, the Constitution directed the Legislature to provide for appeals and other proceedings necessary for securing a fair registration, "and to secure the elective franchise to those who may be illegally or properly denied the same."

He explained that one of the purposes for requiring registration four months before an election was to secure a fair registration of the electors before the heat of a political canvass and to allow ample time for appeals.

He expressed a confident conviction that the Legislature at its first session after the adoption of the Constitution would provide the legislation necessary and proper for carrying into effect these constitutional directions, an anticipation which was amply fulfilled by the Legislature in 1892. Senator George declared that there was no unfriendly spirit in the Constitutional Convention against the negroes, and there was no purpose to deprive them of any just rights that could be exercised by them without danger to the welfare of the State. He declared his unalterable conviction, and that of the white people of the South, a conviction that any white men similarly situated would entertain, and make the basis of their action, that good government, peace, and law and order, and the civilization of the Southern States required and demanded that the virtue and intelligence of the superior race of the South should rule; and that the only safety for their civilization lay in protecting the State from universal negro suffrage. Governments based on negro constituencies had been tried in the South—governments that were characterized by incompetency, corruption, crime, pillage and robbery —and they presented a spectacle that was abhorrent to the returning sense of fairness and justice of the Northern people. The following extract from a speech made by Senator Hoar on a famous occasion, eulogistic in its terms of the Southern people, was quoted in this connection:

"They have some qualities which I cannot even presume to claim in an equal degree for the people among whom I myself dwell. They have an aptness of command which makes the Southern gentleman wherever he goes not a peer only but a prince. They have a love of home, they have, the best and most of them, inherited from the great race from which they come, the sense of duty and the instinct of honor as no other people on the face of the earth. They are lovers of home. They have not the mean traits that grow up somewhere in places where money-making is the chief end of life. They have, above all and giving value to all, that supreme and superb constancy which, without regard to personal ambition, without yielding to the temptation of wealth, without getting tired, and without getting diverted, can pursue a great public object year after year, and generation after generation."

Senator George declared the great truth that the Anglo-Saxon race would never submit to the domination of an inferior race; and that the Southern white men, like the great race from which they come, would never submit to the political supremacy of the negro race.

After demonstrating the fairness and impartiality of all the various franchise clauses of the Mississippi Constitution, he challenged his able and distinguished adversaries to point out wherein the Constitution of the State of Mississippi violated in any manner any of the provisions of the Federal Constitution.

The Senator declared that every limitation of the Federal Constitution upon the powers of the State had been carefully and scrupulously observed, and that the State of Mississippi in adopting this Constitution acted clearly within the limits of its constitutional powers. Acting within the scope of its sovereign and constitutional powers, the State of Mississippi has the same independence and freedom of action as has any other of the sovereign States of the American Union. And in thus regulating their domestic affairs the States of the American Union stand above the criticism of sinister and ulterior motives. It was never supposed that the sovereign States of Connecticut and Vermont, in prescribing as a qualification of the suffrage that the voter should have a good moral character, intended that such a provision should be used for unfair and dishonest purposes.

Senator George then explained that it had always been the constitutional law of Mississippi that a Constitutional Convention could adopt and enact a Constitution without submitting it to the people for ratification. The State Constitution of 1817, that of 1832, that of 1865, and finally the Constitution of 1890 had been

adopted by the different conventions without submission to the people. The Constitution of 1869 was the only exception.

Finally he explained that the present Constitution had been held to be valid by the Supreme Court of Mississippi, and he declared that it was extraordinary that people of the State should be accused of violating the Federal Constitution, when their course was sanctioned by the decisions of their own court of final resort.

Seven years after this celebrated debate the question of the validity of the franchise provisions of the Mississippi Constitution was presented to the Supreme Court of the United States for decision in the case of *Williams* vs. *Mississippi,* a case decided by the Supreme Court of the State in 1896 and taken by Williams, by writ of error to the Supreme Court of the United States. The Supreme Court of the United States held, all of the judges concurring, that those provisions did not violate the terms of the Fifteenth Amendment to the Federal Constitution, and that their enactment was clearly within the constitutional powers of the State. The Court expressly declared that the provisions of the State Constitution relating to the suffrage did not discriminate between the races, but applied to both races impartially and alike.

Thus the work of the Constitutional Convention has been sustained, and Senator George's position has been vindicated by the unanimous judgment of the distinguished jurists who constitute the greatest and most august judicial tribunal in the world.

Senator George, upon the occasion of that memorable debate in the United States Senate, like Senator Lamar in his Nashua Speech in 1875, had a great subject, and they each had the American people for an audience.

Senator Lamar had done more than any man in the South in turning the great tide of Northern popular opinion and sympathy towards the Southern people in their extremity at that critical time. And Senator George stood as the champion and advocate of the people of Mississippi in the triumphant vindication of the means finally adopted by them to rescue the State from the perils of an incompetent and ignorant electoral body, by legal and constitutional measures.

A great achievement truly, and one well worthy of the occasion and the man.

XII.—Conclusion.

It was not thought by the men who led the movement in the State for a Constitutional Convention, nor by any of those who framed the Franchise Article of the Mississippi Constitution that the political phase of the racial problem had found its final solution in the adoption of the limitations that were placed on the suffrage.

It was believed that such measures as were adopted would relieve the situation then existing in the State by greatly improving the electoral body, that it would give the administration of public affairs to the white race by constitutional and honest methods, and that the measures adopted would be effective for many years in securing these objects.

It was the opinion of the leading men of the State at that time, as it is the consensus of opinion in the State at the present time, that the number of negroes who are being qualified under the educational conditions of the suffrage by the school facilities afforded by the State will continue to increase, and that it may be only a question of time when there will again be a majority of qualified negro voters in the State, and when it will become necessary to place further limitations on the elective franchise in order to secure the proper administration of the public affairs of the State.

It is impossible to speculate intelligently or with any accuracy in respect to the different phases of the racial problem that may present themselves in the future. Speculative philosophy cannot aid in any forecast that can be made of the final outcome of the sociological, economical and political conditions that may arise from the unprecedented situation in which the two races find themselves in the Southern States.

While negro suffrage concerns the South more deeply and directly than any other section of the Union, yet in its more comprehensive and far-reaching effects, it extends to the entire Nation.

Intelligent people in the North are realizing the important fact that the negro is a factor not only in national politics but his political power as a voter is potent in the local affairs of many of the Northern States. Without going into the details of statistics, there are several Northern States in which the negroes hold the balance of political power.

It is impossible to foresee, or to predict, what will be the phases

of the various racial questions that may present themselves, not only in the Southern States, but in many of the Northern States. In Mississippi we only know that the requirements of the present situation have been met with wisdom and justice; and that the inestimable blessings of good government have been secured to the people of the State for the present and for many years to come.

The two races are dwelling together under the same State government, at present in harmonious relations. Every vocation, trade and calling in life is open to the negroes in this State. The honest and industrious among them are prospering. Their children are being educated at the public expense, their indigent and insane, and blind, and deaf and dumb are cared for by the State.

The white race has conceded, and is willing to continue to concede, to them every right that the white men enjoy, but they are not willing that the negro should assume the political supremacy in the State. That would be, not figuratively, but literally to surrender the territory of the State to the negro race.

The Northern people, happily for the South as well as for the whole country, have reached the point of public opinion where they recognize the fact that the greater race problem is with the South, and having given it the problem, instead of interference, that the wiser course is for them to leave Southern statesmen undisturbed in a task more difficult than was ever set before a people.

This white generation of the South is as little responsible for the presence of the negro here as the negroes themselves. The two races find themselves in their present situation without any volition of their own.

For years, perhaps centuries, the two races will survive and live together under the same government, and yet apart.

The future is obscure, and no mind is great enough to fathom it. But whatever conditions may arise, whatever complications may appear, and whatever difficulties or dangers may present themselves the Southern men, who in every emergency have displayed the great qualities of brain and soul and courage of the great race from which they come, can be relied upon with confidence to meet with courage and justice whatever destiny may await them. They will preserve their civilization, and maintain the social order for themselves and their descendants to the remotest generations.

Their white brethren of the North will perceive that this work which the Southern men are doing promotes the interests of the whole country. One part of this great Nation cannot suffer without its effect being felt by the whole body politic.

The whole country felt the reflex effects of the reconstruction period when the South languished in the grasp of corrupt governments. The contrast between the South of to-day and the South of thirty years ago is extraordinary. Aside from the enormous strides that the South has taken in its material advancement and prosperity, and aside from the tranquility and repose of its people, the whole country has felt the vivifying and elevating influence of the pacification of the country, and the establishment of homogeneous and cordial relations between the people of the North and the people of the South.

All that has passed in the history of the long and bitter sectional issues preceding the great Civil War, as well as the unfortunate events attending the reconstruction period in the South may now be forgiven in the light of that better understanding that has come to the people of the two great sections of the country.

BIBLIOGRAPHICAL NOTE.

Among the many valuable documents that relate to the subjects treated in the foregoing paper, the following are worthy of note:

1. Letter of President Johnson to Governor Sharkey will be found in Cox's (S. S.) *Three Decades of Federal Legislation*, p. 391.
2. Report of Legislative Committee on the Thirteenth Amendment will be found in the *House Journal* of 1865, p. 317.
3. An oath was required of each voter in the election of delegates to the Constitutional Convention of 1865 not only to support the Constitution of the United States, but the laws and Executive Proclamations relating to emancipation. Judge William Yerger, on the floor of the Convention of 1865, alluded to this as conclusive in respect to the action of the Convention on the subject of emancipation. See the *Proceedings of the Convention of 1865*, p. 153.
4. The form of this oath is in the Amnesty Proclamation of the President, of May 29, 1865, found in Richardson's *Messages and Papers of the* Presidents, Vol. VI., p. 310.
5. No person was allowed to vote in the election of delegates to the Constitutional Convention of 1865, except the electors who took this oath. This was declared in the Proclamation of the President, of June 13, 1865, providing for a provisional government in Mississippi. See Richardson's *Messages and Documents of the Presidents, p. 315.*
6. Governor Sharkey's Proclamation of July 1, 1865, providing for the election of delegates to the Constitutional Convention of 1865, provided that this oath should be taken by all of the delegates to the Convention. See the *Proceedings of the Convention of 1865*, p. 5.
7. Legislation of 1865 in respect to the Freedmen will be found in the *Acts of 1865*, pp. 71, 82, 83, 84, 85, 86, 89, 93, 165, 166, 194.

8. Legislation of 1866-1867 repealing, or modifying, the former statutes, will be found in the *Acts of 1866-67*, pp. 227, 232, 233, 244.

9. Mr. Lincoln's Message on the subject of negro immigration to the Northern States, will be found in Richardson's *Messages and Papers of the Presidents* p. 141.

10. Mr. Blaine's opinion in respect to the Fourteenth Amendment as the basis of Reconstruction will be found in Blaine's *Twenty Years of Congress*, Vol. II., p. 249.

11. President Johnson's Telegram to Governor Parsons will be found in *Twenty Years of Congress*, Vol. II., pp. 249, 250.

12. The Report of Legislative Committee on the Fourteenth Amendment will be found in the *Appendix to House Journal*, 1866-1867, p. 77.

13. Quotations from the address of General Cox will be found in *Twenty Years of Congress*, Vol. II., p. 231.

14. Quotation from the Resolutions of the Pittsburg Convention will be found in *Twenty Years of Congress*, Vol. II., p. 232.

15. Quotation from the Resolutions of the New York Convention will be found in *Twenty Years of Congress*, Vol. II., p. 245.

16. An account of the Crossby Riot, will be found in the *Weekly Clarion* for December 12, 1874.

17. Interviews of Judge George F. Brown, and Chancellor Hill, will be found in the *Weekly Clarion* for December 21, 1874.

18. The appeal of the Democratic members of the Legislature will be found in the *Weekly Clarion* for December 24, 1874.

19. The address of the Democratic members of Congress will be found in the *Weekly Clarion* for February 25, 1875.

20. An account of the Tax Payer's Convention will be found in the *Weekly Clarion* for January 7, 1875.

21. Senator Lamar's Nashua speech will be found in the *Weekly Clarion* for March 25, 1875.

22. Judge Harris Jackson speech will be found in Lowry and McCardle's History of Mississippi, p. 392.

23. The resignation of Governor Ames will be found in the *House Journal* of 1876, pp. 249, 250.

23. The resignation of Cardozo will be found in the *House Journal* of 1876, p. 492.

24. An account of the conviction of Davis will be found in *Impeachment Trials*, p. 122.

25. The address of Judge Calhoun to the Convention of 1890 will be found in the *Proceedings of the Convention*, p. 700.

26. The report of the Judiciary Committee of the Convention of 1890, on the Act of Congress of February 23, 1870, will be found in the *Proceedings of the Convention*, p. 83.

27. Senator George's letter on the subject of a Constitutional Convention, is quoted from his speech in the United States Senate.

28. The extracts from the speeches of the Senators and Representatives in Congress are quoted in Senator George's speech in the United States Senate.

29. Senator George's speech is printed in the *Congressional Record*, of the Second Session of the Fifty-first Congress.

no other government ever did. It has prepared in 130 volumes the reports,

30. A number of the speeches made by members of the Convention of 1890, on the suffrage, including that of Hon. Isaiah T. Montgomery, will be found in the Daily and Weekly editions of the *Clarion Ledger*, published soon after their delivery in the Convention.

SOME HISTORIC HOMES OF MISSISSIPPI.

By Mrs. N. D. Deupree.[1]

The homes of which we write were built in the early days of Mississippi, by men prominent in politics, the professions, and literature, as well as by wealthy planters. Their beautiful names, which distinguish them from the *flats* which now abound, are worthy of a place in the State's history. Also, the system of Southern life, when leisure gave time for culture and high-bred hospitality characteristic of the times rapidly receding into the past, should be preserved for the guidance and enlightenment of posterity. It it no easy task to gather the facts concerning these beautiful homes even now. Although the State is less than a century old, many of its early homes have fallen into decay. The builders dead and the heirs far away in stranger lands, it is impossible in many cases to obtain but the most meagre records.

Of the private life of these delightful people, it is possible to give only the merest outline: it was bounded by the sacred precincts of home, controlled by all that makes life beautiful,—congenial friendships, charming reunions, and high mental attainments, all combined to make an ideal life.

In the preparation of this first chapter of Historic Homes, we have received valuable aid from Mrs. S. S. Calhoon and Mrs. R. J. Harding, of Jackson; Mrs. R. Q. Duncan, of Natchez; Mrs. Howard Cabell, of Clinton; Col. James Gordon, of Okolona; Mrs. W. L. Wells, of Vicksburg; Mrs. Amelia Alcorn, of Eagle's Nest; and Mr. and Mrs. W. L. Ray, and Mrs. LeFlore, of Malmaison.

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[1] Mrs. N. D. Deupree, born Durham, is descended from a family of that name who emigrated from Saxony to the northeast coast of England in the 6th century, A. D. The city of Durham was named in honor of a chief belonging to this family. Baron Durham was among the barons who compelled King John to sign the Magna Charta in 1215. Two brothers, John and James Durham, came to America about 1790. The former settled in Maryland and from him descended the Durhams of that State and of Virginia and Kentucky. The author of this paper is a descendant of the Maryland branch. She was educated in the high schools of Cincinnati and the Ellinwood Female Seminary at Mt. Hope, Kentucky. At the close of the War between the States she was married to Dr. J. G. Deupree, who is now Professor of Pedagogy in the University of Mississippi.—Editor.

Lochinvar.

In 1832 the United States by a treaty with the Chickasaw Indians acquired possession of all the lands owned by them in Mississippi, excepting certain reservations which were afterwards sold to the whites when the tribe moved to the Indian Territory. Robert Gordon, a younger son of an ancient Scotch family, visiting America in search of adventure, was present and signed the treaty as a witness. He was a gentleman of culture and fine business ability. Although he came to America on a pleasure trip, he was so pleased with the country he concluded to remain and become an American citizen. He soon afterward married Miss Elizabeth Walton, the daughter of a Virginian who belonged to a family distinguished for patriotism during the Revolutionary war; one of the Waltons was a signer of the Declaration of Independence. When the United States Land Office was located at Pontotoc, Mr. Gordon located there also; and, being a thrifty Scotchman, by speculating in lands he soon accumulated a handsome estate. Two sections became his by purchase, one of them he bought from an Indian woman named Molly Gunn and it was deeded by her to his infant son, James Gordon. Upon this section he built a handsome house situated on the highest hill in Pontotoc county, overlooking a beautiful table-land surrounded by hills and valleys covered with majestic trees of every variety known to this climate, through whose shadows silvery streams from an hundred gushing fountains flowed on to the sea. The stately mansion was three years in building; every timber in it was of "heart pine," the frame work of solid trees with the sap hewn off; it was all hand work, as there were no sawmills in the country at that time. A beautiful self-supporting stairway leads up to the third story; above this, is an observatory overlooking the surrounding country. Beneath the building are three cellars, once stored with rich wines of home and foreign vintage. The house contained fifteen rooms, eight of them 22 feet square; and two large halls and galleries reaching around two sides of the house complete the picture of this palatial old mansion. Pontotoc was at that time the home of some of the most cultured people in the State, and Lochinvar was kept in the style of the ancient home of the Gordons on the Solway,

"Where the young laird came out of the west
To the Netherby Hall on his swift steed,
And bore off the bride to his nest."

Oos-ta-ko-wa, Broken Pumpkin, was the Indian name of a small creek on the estate which was once the home of the Chickasaw queen Puccanula, whose dwelling was close to a crystal spring still known as the Queen's spring. After the exodus of the Indians it received the name of Lochinvar. Molly Gunn, from whom the estate was purchased, was the daughter of a Virginia loyalist—called a Tory during the Revolution. After the defeat of the British and the recognition of the American Republic, Gunn, who owned a large number of slaves, emigrated to Mississippi, married an Indian maiden and spent his life in peace among the Chickasaws. Forbidding any celebration of the Fourth of July, but celebrating the birthday of George III, he was loyal to the last. When the white people entered the newly acquired territory they found among the Chickasaws a granddaughter of Gunn, named Rhoda, who was surpassingly beautiful, and heiress to a large property. She had many suitors among the adventurous white speculators, but the dusky maiden spurned their addresses and married an Indian brave named "Humming Bird," who bore the Chickasaw rose away to the West. Cyrus Harris, a nephew of Molly Gunn, who had been educated by Rev. Thomas Stuart, a Presbyterian missionary, was employed as interpreter by Mr. Gordon in his dealings with the Indians; and remained to the time of his death, ten years ago, a true friend of the family.

Mr. Gordon was the founder of Aberdeen, in Monroe county, the Gordon house there being named in his honor. His estate was recorded in the census of 1860 at one million six hundred thousand dollars of taxable property. When the Civil War called the sons of the South to arms, James Gordon, the only son and heir, armed and equipped the first cavalry company that left the State for Virginia, which was known as company "B," Jeff. Davis Legion, Stuart's Cavalry, Army of Virginia. After a year's service in Virginia, Capt. Gordon raised a regiment of which he was chosen colonel; this regiment was known as the 2nd Regiment of Volunteer Cavalry, Armstrong's Brigade; served in many engagements under Generals Price, VanDorn, W. H. Jackson, and N. B. Forrest. The son of Lochinvar, like his maternal

ancestors, was rebel to the core, and proud of a mother and wife who like the Spartan mothers, buckled on his sword and sent him to the field of battle. Among the trophies sent from the field was the sword of Gen. John S. Coburn, of Indiana, commanding a brigade at the battle of Thompson's Station. Gen. Coburn requested by a letter to Gen. Frank Cheatham permission to present the sword to Col. Gordon in consideration of kindness shown him while a prisoner. Col. Gordon also won the friendship of Gen. Shafter, who presented him with a pistol, and he did not forget to send a kind message of remembrance, when on his way to Santiago, Cuba. These incidents are mentioned in no spirit of vain-glory, but to show how Confederates treated their prisoners. These papers, shown to Adjutant Woodward of Grierson's staff, saved Lochinvar from the torch when Grierson made his raid through Pontotoc county.

Lochinvar was not only known as the most beautiful house in North Mississippi, but noted for the hospitality dispensed. Its spacious halls were often the scene of pleasure where the elite of society assembled and spent the happy hours in feasting, music, and dancing. It can be truthfully said that a free welcome was extended to all who sought its hospitality whether the invited guest, the passing traveler, or the ragged beggar seeking alms; none were refused admittance and entertainment. Lochinvar was the scene of many romances. During the late war many brides came through the Federal lines, met their Confederate lovers here and were married. The sick and wounded soldiers often sought health and comfort under the leafy shadows and beside the murmuring streams, and were nursed to health by the noble mistress of the home. After the aged founder and his wife passed away, the son tried to keep up the prestige of the house, but soon found that a great estate requires a great income. Every thing is changed at Lochinvar, the trellised bowers where love's sweet story was whispered to willing listeners are silent and falling to decay. The tramp of the steed, and the hunter's mellow horn, the cheery music of the hounds in chase of the wily fox or antlered deer among the hills, are heard no more. The wheel of fortune turned, leaving the grand old home a sad relic of better and happier days; and the exile's tears that pride withholds from outward flow fall back and scald the heart, as memory brings

to view the scenes of long ago. This short story of Lochinvar is the history of nearly all the old Southern homes.

Eagle's Nest.

The home of James L. Alcorn, in Coahoma county, received its name in a most natural way; an eagle had built her nest for many years in a large cottonwood tree in a field adjoining the park which surrounds the residence. In alloting work to the plantation laborers the supervisor spoke of it as the Eagle-nest field, thus the plantation and the home became known as "Eagle's Nest." There are several nests of these birds in the cypress brakes just back of the buildings.

The home is a large modern frame structure. The lumber was cut from the forests on the plantation, and dressed by hand under the supervision of Gen. Alcorn. The house has five wide halls, twenty-two large, high ceiled rooms, made home-like and cheerful by ingle-nooks, cozy corners and numerous broad windows. Three bay windows open on the blue waters of the lake on which the home fronts. Broad verandas extend around three sides of the house; the whole surmounted by an observatory commanding a view of beautiful Swan lake, the park, and the broad fields of corn and cotton, the whole making a picture never surpassed in natural beauty. Mrs. Alcorn tells the following interesting story as to the way the lake received its name:

"In the early days it was a feeding ground for numbers of wild swans. A huntsman on one occasion shot, and broke the wing of one of these graceful birds. It could never again leave the lake; year after year it welcomed the coming of its fellows with glad cries, and pined in sorrow when they plumed their broad wings and took flight for new feeding grounds; it was pitiable to see its efforts to follow. Since then the pretty sheet of water has been called Swan's Lake. Upon the shore of this lake stands the tree in which the great eagle mentioned above built her nest. She showed both judgment and taste in the selection of a home; for the waters of the lake furnished an abundance of food for her young, and the view is one of unsurpassed beauty."

The axmen were directed to leave that tree untouched when the field was enlarged by clearing the southern part of the park; but the careless, thoughtless, destroyer of the forest, regardless of orders belted this monarch of ages. The grounds immediately about the house are shaded by large oak, magnolia, holly, and varnish trees. The gardens are gorgeous with bloom from the

coming of the dainty snowdrop and purple violet of spring to the asters of the late autumn. In the park, near the southern limit, is a large Indian mound, and on this mound sleeps James L. Alcorn, his grave marked by a marble statue of himself. Near by rest the remains of four sons. Two died in defense of their home and country. Major Alcorn, the eldest, was as brave and true a soldier as ever went to the front of battle. Henry, the second son, then a lad of seventeen years, captured and taken to Camp Chase, contracted typhoid fever and died on the way home an exchanged prisoner, and now sleeps beside his father on the old Indian mound. The wide halls and lofty rooms of this stately home that once echoed to the tread of busy feet, are now silent, and deserted by all save the widowed mother.

Greenwood.

One mile northwest of Clinton in Hinds county, on a beautiful slope covered with forest trees at the edge of a large canebrake was the site of "Greenwood," the home of Cowles Mead, who was at one time one of the most prominent men in the State. The house, a large and commodious one, stood in a lawn of fifty acres, through which a broad carriage way extended. This driveway was bounded by rows of trees, many of them native to the location; these were interspersed with magnolia, pine and live oaks. The lawn was carpeted with a rich sward of Bermuda grass, which Gen. Mead is said to have introduced into the United States. The home was noted for its lavish hospitality and for the numbers of distinguished guests entertained there. Gen. Mead was devoted to horticulture, and in his lovely wife he had a most congenial companion; and together they made it a home of flowers. West of the house were the gardens of ornamental shrubs and bulbs. Low hedges of evergreens bordered the beds of tulips, hyacinths, and many others too numerous to mention. To the east was the rose garden. On the east side of the house and adjoining it were the greenhouses built by the plantation carpenter. Under the loving care of Mrs. Mead the hothouse plants bloomed in rich profusion. Beyond the greenhouses was a small summer house covered with yellow jessamine. A quaint little gate admitted one into it. This was the entrance to Gen. Mead's own garden. Here were wide smooth walks, syringa hedges, banksia roses, tall crape

myrtles and, clustered around their roots, masses of the purple wild wood violet, which the good man loved. In this garden was an aged cedar tree, beneath its spreading branches was placed a wide garden seat; here Gen. Mead's after-dinner coffee was served. Many men of illustrious names sat with him under that old cedar and discussed the affairs of state. Among the valued souvenirs of the home was the sword of Aaron Burr, which was delivered to Gen. Mead when Burr was captured. This sword was presented by Mrs. Mead to Captain Wellborn of the Mississippi College Rifles, when that company marched away to battle in 1861, and was lost at the first battle of Manassas where Capt. Wellborn was wounded.

The home, the gardens, and most of the beautiful trees were destroyed by Grant's soldiers after the surrender of Vicksburg. Gen. Mead, wife and son, were buried in the garden; the monuments that marked their last resting place have fallen and lie covered with grass and weeds, almost lost to sight. A large pecan tree stands sentinel over the grave of him who planted the seed, when the twentieth star representing the State of Mississippi was fresh upon the flag of the Union. The old tree has lived to see most of the changes of the nineteenth century; and as each returning spring calls the flowers from out their wintry home, the old tree sends aloft its coronal of fresh leaves; and when chill autumn with frost-fingers touches leaf and fruit, the rich brown nuts fall to earth, and many an urchin, who knows not even the name of him who thus provided this pleasure, is made happy.

Mount Salus.

Just beyond the western boundary of the town of Clinton is "Mt. Salus," the home of Walter Leake, third governor of Mississippi. He was twice elected to this office. Gov. Leake came to Hinds county in 1812, purchased a large tract of land, and with home-labor cut and dressed the timbers, burnt the brick, and built the first brick house in the country. The building is fashioned after the style of the old English manor-houses; square built, with wide windows, broad, heavy doors, and solid floors. The doors bear the marks of spurs and bayonets made by Grant's soldiers as they tried in vain to force their way into stores and

mansion, when on the raid from Vicksburg to Jackson in 1863. The quaint old hall has stone floors and deep windows, let into the thick walls high above the floor, thus admitting the light from above on the old family portraits of the Leakes and the Scotch ancestors of the Johnstones, who became owners of Mt. Salus through the marriage of the only daughter of Gov. Leake to Henry Goodloe Johnstone, a descendant of William Wallace. Johnstone was a young man of wealth, who sought adventure in the new land beyond the sea, where he found a wife and founded a home. He became judge of the chancery court of Hinds county; was a mason of high degree; and a friend of education, as was shown by his liberal contributions to Mississippi College. The first land office, and the first post office were located at Mt. Salus. The quaint little letter box is now among the treasures of the home; also, the sword of Gov. Leake and the badge of the order of Cincinnatus, of which he was a member. Besides these, the home also contains a valuable library and many articles of value and interest collected from across the seas by a kinsman, whose ship was the first to enter Chinese ports. The old home is still in the possession of the Johnstone family, and until very recently was the home of Gov. Leake's great-grandson, Carter J. Johnstone.

Towards the east a short distance from the house is the high, brick-walled burying-ground where rests the remains of Gov. Leake, his wife, daughter, and other members of the family. It is an ideal resting place—no sound disturbs the silence except the song of birds and the murmur of the winds among the pines, that keep watch over the ashes of him who was an important factor in the early history of the Commonwealth.

Porterfield.

This paper, so far devoted to descriptions of plantation and suburban homes, will now give a story of a city home, the "Porterfield" home of Vicksburg. It is a large, square-built brick house, three stories high, with long wide halls, three in number, two rooms on each side of the hall on each floor except the first; this has two on the right of the entrance and one, the banqueting hall, on the left, a room 24 by 42 feet, with ceiling 18 feet in

height. It is lighted by seven long windows; two of these windows open upon the street; two at the other end of the room open towards the river, looking across the beautiful grounds of the home. The floor of this splendid room is marble in alternate blocks of white and blue; two fireplaces, with mantels and jambs of carved white marble, attest the cheer that blazing fires once lent to festive occasions. The two rooms on the opposite side of the hall are finished in the same style as the one just described. The furnishing of these delightful rooms was in accord with them. The interior finishing is of solid walnut, hand-carved; the work was done by expert workmen from the East. The house has two fronts, the one towards the river commanding a view of the grand old river for miles down, and up to where the Yazoo pours its flood into the "Father of Waters." Across the river may be seen the fair fields of Louisiana. In the grounds around the house are found trees and shrubs from many parts of the world; stately trees of lebanon, camphor, bay, coffee, palm, and tea mingle their branches with the magnolia, japonica, oak, and cedar of our own sunny land. A large basin, shaped like a horse-shoe, with a bronze cross in the center of the curve, attracted the attention of a recent visitor who asked the meaning of a device so strange in the yard; without speaking, a member of the home turned a faucet, and the meaning was at once explained—the water burst from the top of the cross and fell in a shower to the horse-shoe basin. Around the basin were masses of lovely aquatic plants.

During the late war, Grant shelled the house for three weeks, thinking it was Pemberton's headquarters, but Providence held a protecting hand over and about the beautiful home, and but one shell touched it. This entered the open dining room door, ranged upward through the long room, went through the ceiling, tore off about three feet of the facing of the parlor door, then out through the open front door, split off a part of one of the immense Corinthian pillars which support the veranda roof, then cut the top of a cedar off fifteen feet from the ground: but even the cedar was not to be vanquished by the guns of an enemy. It grew and flourished for twenty-five years, then yielded to Nature. When the war alarm sounded over the land, calling the men to strike for home and right, Albert Sidney Porterfield was

among the first to answer the call. Albert Sidney Johnston, the lifelong friend of the Porterfields, at once called young Porterfield to a position on his staff, and presented him with a handsome horse and saddle, which were in constant use during the four years of war. The saddle and other accoutrements are among the valued treasures of the old home. This home was for years the resting place of the Davises, Albert Sidney Johnston, and other prominent men of affairs in the South when in Vicksburg. A few years before his death, President Davis visited Vicksburg, a guest of the city, and was tendered a reception in this home, which had so often welcomed and entertained him.

Monmouth.

Monmouth, the home of General John A. Quitman, is now owned by his daughter, Mrs. Rosalie Quitman Duncan. It was built in 1818, by a Mr. Harkinson, of New Jersey, and named "Monmouth" in memory of his native county. In those days, yellow fever frequently swept away whole families in a few days. Such was the fate of the Harkinson family. In 1825, Mr. Quitman, then a young man, bought Monmouth and made large additions to the original building, which is of that severe and simple style of architecture that produces a massive effect. The heavy columns in front extend to the roof and the thick walls and the slate-floored portico give dignity to this grand old home.

It stands on a sloping hill and is approached by a semi-circular drive-way through a beautiful lawn, shaded by magnificent trees, adorned with rare shrubbery and lovely flowers. The rose garden at Monmouth is a sight to delight the poet and painter's eye, when in early spring the queen of flowers bursts into bloom. In the great hall of the home are hung the family portraits; two of Gen. Quitman, one representing him in the flush of young manhood; the other in the uniform of a major-general of the United States army, painted just after the Mexican war when the crown of laurel was fresh upon the brow of the hero of Belen Gate. Three of the old soldier's swords hang under the portraits. Near by stands a tall clock of the style known as "Grandfather clock." A recent visitor noticed the clock, and spoke of it by that name. A granddaughter of Gen. Quitman answered, "Yes, that is 'Grandfather's clock' and has been in the family one hun-



"Concord,"—Home of Spanish Governors.

dred years and still keeps time." In the well-filled library may be seen Gen. Quitman's secretary with desk and chair; over the secretary hangs a picture of John C. Calhoun; on the opposite wall hangs a painting of the battle of Chapultepec.

To this lovely home Mr. Quitman brought his wife and infant child soon after he bought it; here in later years he sought and found rest and recreation from the labors of public life. Many honored sons of the United States have been guests in the home. The Cuban patriot, Lopez, and the Cuban exile, J. S. Thrasher, were entertained in this hospitable home. When Gen. Quitman returned from Mexico he was welcomed by a grand military display on the lawn in front of the house.

During the late war Monmouth was used as brigade headquarters by the Federal troops. The family occupied rooms in the upper part of the house and beheld with aching hearts but helpless hands the destruction of the beautiful hedges, statuary, and many of the grand old trees that adorned the yards and lawn. Other trees have been planted in the place of those destroyed and the genial clime of this sunny land has caused such a rapid growth that the old home is as beautiful now as it was when happy children played beneath the shade of the old trees.

Concord.

Concord, the old residence of the Spanish governors, was situated about three miles east of the city of Natchez in the center of extensive grounds, which were kept in the highest state of cultivation. It was a massive building, constructed of bricks of a peculiar shape and enduring quality; circular flights of stone steps led up to the stately halls. These steps, the elegant mantles, and rich cornices, were hewn from Spanish quarries, and in conjunction with the lofty colonades, long, wide verandas, together with the rich furnishings of the lofty rooms, verify the wealth, the luxury and the taste of the golden age of the country. Built in 1789, this fine old residence was first occupied by Gov. Grand Prè. He was succeeded by the urbane Gayoso who gave the place its name to express the kind feeling existing between the citizens and the government. When Gov. Gayoso succeeded Carondelet as governor-general of Louisiana, Don Esteuban Minor became governor of the Natchez district. He purchased the

mansion and lived there until his death in 1815. His family and descendants resided there for many years, making it a center of social refinement and culture. Stately "Concord" now lies in ruins. In May, 1900, the fire fiend did what time had been unable to accomplish; it leveled the great brick stuccoed walls, forced from their foundation the huge pillars, wrenched the steel railing from the curved stairways, melted the heavy bolts, and tore the marble paving from the entresol.

A branch of the Minor family still resides near Natchez at a charming home called Oaklands, which is a part of the original grant made to Don Esteuban Minor by the Spanish government. Oaklands is famous for its avenue of live-oak trees, which stand eighty feet apart, yet the branches meet and form a most beautiful archway.

Kirkwood.

In the northeast corner of Madison county is Kirkwood, the home of Gov. McWillie. In October, 1845, Col. McWillie accompanied by his family, with a long train of carriages, wagons, negroes and horses crossed the States between South Carolina and Mississippi to make a home in the West. A large comfortable house had been built for his reception on one of the most beautiful elevations in the mile square he had purchased for his western colony. This house afterwards became the quarters of the house servants, and for more than a quarter of a century its broad hall resounded at night to the music of the banjo and "fiddle," or the loud earnest voice of the negro preacher, as he led the beloved prayer-meeting; and many a dusky bride here pronounced her marriage vows.

A New York architect awaited Col. McWillie and the home was to have been at once begun; but his lovely Christian wife suggested that first the church should rear its cross in the wilderness, that its sacred shadow might fall in blessing on their home. Her sweet counsel was law and the church was built; then the corner-stone of the home was laid, and there arose like magic one of the loveliest and happiest homes in the South, one whose doors stood always open, and whose hospitality was as large and true as the two hearts which dispensed it.

The house was a colonial pile with broad halls, large rooms,

conservatory, gardens, and wide lawns extending on one side to the church and churchyard, where sleep the loved ones that have laid down the cares of this life. On the other side stood the rectory. There could be written many sweet love stories of the scenes enacted beneath this roof-tree, but they are too sacred and we will treat only of historic events. Among the many distinguished visitors now recalled, were Gen. Quitman; Governors Matthews, Foote, Pettus, and McRea; William S. Barry; D. C. Glenn; S. S. Prentiss; Col. A. K. McClung, whose tragic death filled all hearts with horror; Gen. William Barksdale, who fell at Gettysburg; Maj. Ethelbert Barksdale; Gen. Featherstone, the noblest Roman of them all; J. A. P. Campbell, afterwards Mississippi's greatest judge; Gen. Adams; Gen. Miles; Capt. Joslyn, the sweet poet of the State; the Yergers, father and sons; Bishop Otey; and best and dearest, our first bishop William Mercer Green; and many of other churches, for in this home, bigotry never entered; last but by no means the least in honor or affection rises the heroic form of our own President, Mr. Davis, for years a visitor and a warm friend of the family. Following these there comes a host of glorious men who wore the gray, while the sons of the house were in Virginia battling for right, and where one of them laid down his life as a sacrifice on the altar of liberty. This home was the refuge of the war-worn. Suites of the beautiful rooms were turned into hospitals for the sick and wounded.

The first visit of Mr. Davis to "Kirkwood" was in 1850, when he and several others accepted an invitation extended by Col. McWillie to a dinner to be given by him, at which nothing should be served that was not produced upon his own plantations, but the coffee and spices, thus to refute the oft repeated assertion of the Northern brethren that the men and women of the South were indolent and improvident. The menu of that dinner has been in part preserved: Turtle soup and fish from the Seneasha, a stream running through the plantation; mutton, from a flock of hundreds of sheep; a game course of venison and quail, from the forests; beef, turkeys and ducks from the farm-yards; rice and potatoes from the marshes and fields; fruit, cream, nuts, and cheese from the home dairy; wine from grapes that ripened on "Kirkwood" hills. When the ladies left the dining room, "old

mammy's" tobacco was forthcoming, that the home menu might be complete, but the guests declared themselves more than satisfied with the skill of the house-wife and the energy of the planter. Therefore, with their coffee were served fragrant Havanas. An incident of this evening comes to mind which is worthy of mention. After the gentlemen joined the ladies in the parlor, Mrs. McWillie presented Mr. Davis with a Highland dirk which had been found on the Revolutionary battle field of Hobkirk Hill, where Col. McWillie's South Carolina home had stood. On receiving the dirk, Mr. Davis said: "Madam, I will use this only in defending Southern rights." After words so lightly spoken, yet so prophetic, we will put out the lights and leave this royal feast and goodly company; for on its like we ne'er shall look again.

After the death of Governor and Mrs. McWillie, their descendants felt that the old home's work was finished, and that it would better become a sweet memory and pass away with the master and mistress, whose gracious presence had so hallowed it. Therefore, it was taken down, the carved woodwork of the library was given to a church, together with the handsome stair-rail. Tall trees grow where once spacious halls and lofty rooms echoed to the merry voices of a happy family.

Wexford Lodge.

In the center of the conflict that raged around Vicksburg in the year 1863 stood the plantation home of Captain Shirley (a native of New Hampshire and a noted Union man), called "Wexford Lodge." The house was built after the prevailing style of Southern homes in the early 40's, a story and half in height, a wide hall through the center, on each side large rooms with high ceilings, upper and lower galleries in front, a broad veranda in the rear. The long dining room was in the basement. The house stood on a high elevation some distance from the public road; a driveway describing a semi-circle passed the door, a wide walk extended from the gallery steps to the front gate, thence by a flight of steps to the road. This walk was bordered with red flowering quinces, fragrant syringas, and roses, while close to the edge bloomed violets, jonquils, and hyacinths; at one end of the porch was a beautiful pink crape myrtle, at the other



Malmaison—Home of Greenwood Leflore.



THE SHIRLEY HOUSE.

Situated on the Jackson road at Gen. Logan's point of attack, and known to the Federals as the "White House."

a white althea gave shade and perfume throughout the long summer months. A rustic summer-house made of grape vines and roots with borders of flowers was a great delight to the only daughter of the house. Here she spent many hours reading; she had few companions of her age, and books were her chief delight. She tells of reading "Paul and Virginia" many times, Mrs. Sherwood's books for children, and Hannah More's works. The gardens and orchard were at the side and rear of the house; the kitchen was some distance away, typical of the old South. During a storm, or on cold days, the biscuits and cakes that left the kitchen hot, were sometimes rather damp and cold when they reached the dining room, but small thought was given to such matters then.

When war came to Vicksburg the fiercest of the fray was around "Wexford Lodge," which was called the "White House" by the Federals; and the battery posted there was known officially as the "White House battery." This house, the only one of the ante-bellum houses now standing on the battle grounds, is known as "The Shirley House," and is considered the most precious relic of the siege of Vicksburg, and by direction of the Secretary of War will be restored as nearly as possible to its condition at the beginning of the siege. It has been conceded that "Shirley House" is the only truly historic building within the limits of the park area. It formed a familiar landmark to both armies, both from its elevation and color, standing as it does at the point where the first important attack was made May 19, 1863, and where the siege operations began a few days later. The apex of the Confederate lines of defense was also near this place; and in front of it was the "Third Louisiana Redan." The illustration shows the condition of "Shirley House" June, 1902.

Malmaison.

Malmaison, the beautiful old home of the last and most powerful chief of the Choctaws, Greenwood Le Flore, is in Carroll county, Mississippi, nine miles east of the town of Greenwood, which was named in honor of the chief. A more picturesque location for a home could scarcely be found. An immense hill rises gradually from a lovely valley. About two-thirds of the

way to the top it resolves into a broad plateau; upon this plateau stands Malmaison, the home of four generations of Le Flores.

The building is colonial in architecture, consisting of two halls crossing in the center of the building, four large rooms on each side, and an "L" of an equal number of rooms. It is two stories, surmounted with an observatory from which the country for miles can be seen. Towards the north the hill slopes upward and away, covered with rich grass and crowned with forest trees of giant size, interspersed with enough of pine and cedar to keep the background always green, thus presenting a scene of perpetual spring. This home was built in 1854, a successor to the first one, which was built in 1835, about one hundred yards east of the present site.

The furnishings of this stately mansion are in perfect accord with the building. The parlor is elegantly furnished; all the furniture was imported from Paris; the chairs, sofas, and divans are of French hickory overlaid with gold and upholstered with crimson silk damask; the long damask curtains are of the same rich color; the tables and etagere are of ebony inlaid with pearl of every hue. The carpet is a seamless tapestry of roses on a cream ground. The walls of this room are decorated with handsome paintings of Swiss and French scenes, and three immense mirrors in frames of gold. The mantle supports a clock of ebony and gold, representing a Crusader on horseback riding over the field of battle. The workmanship of this clock is exquisite and must be seen to be appreciated; also, on the mantle are two candelabra representing the figure of a knight holding a cluster of the golden lilies of France. The window shades are hand-painted pictures of four famous French palaces,—Versailles, Fontainbleau, St. Cloud and Malmaison.

In all the rooms of the house the arrangement of furniture and bric-a-brac reveals the artistic taste and deft fingers of the lovely mistress of the home, Mrs. W. L. Ray, the granddaughter of Col. Le Flore. In the library are hung the portraits of Col. and Mrs. Le Flore and their daughter, Mrs. Harris. That of the Chief is an excellent piece of workmanship and is said to be a perfect likeness. Beneath his portrait hang the sword and handsomely embroidered belt presented by the President of the United States, when Le Flore was made chief of the Choctaws; there is also a silver medal four inches in diameter given by Thomas Jefferson

to a former chief and presented to Le Flore when he was made chief. This medal was a symbol of peace between the Indians and the United States. On one side of the medal is depicted the pipe of peace across the tomahawk; beneath these are clasped hands denoting brotherly love. The other side bears the words, "peace and prosperity," the name of the President and the date, 1802. A heavy silver-mounted sword-cane hangs near. On a table in the center of the library are several large volumes containing sketches of all the famous Indian tribes of North America, showing excellent likenesses and biographical sketches of their most noted chiefs. The dining room shows the same elegant taste that is seen throughout the home; handsome sideboards and china cabinets, laden with priceless china, cut-glass, and silver.

The lawn is quite extensive, covered with a heavy sward of Bermuda grass, shaded by magnificent forest trees; the gardens are noted for the wealth of bloom through the summer and autumn. This is one of the few old Southern homes still in the family of the builder and kept in the old-time style.

Jacob Thompson's Home.

Among the historic homes of Mississippi in ante-bellum days there were none more deserving of a place in the State's historical notes than that of the Honorable Jacob Thompson, at Oxford, Miss. It was a commodious frame structure of twenty rooms with halls, verandas, galleries, and every thing that the architect's skill could suggest to enhance its beauty and comfort. It had every convenience then known to the expert builder. It was finished throughout the interior in native woods carved and polished to the highest degree. The furnishing was handsome and costly; an art gallery of rare and costly paintings was an especial feature of the home. A few of these handsome pictures are now the property of Mrs. Coleman, of Oxford. This home was widely known for its hospitality. It was a delightful resort for friends; and guests from almost every State of the Union have been entertained within its portals. For many years it was the headquarters of the political party of which Mr. Thompson was the acknowledged leader; his wisdom and political sagacity being unquestioned.

In the year of 1855, the Whig party having passed out of exist-

ence, upon its ruins with reinforcements from disappointed Democrats arose a new organization called the American or Know-nothing party. They held secret meetings in every county of every State in the Union. Their followers were enthusiastic and confident of success. All over our State the brainiest men of the party were selected for legislative and judicial honors; James L. Alcorn, of Coahoma county, a brilliant orator and the most aggressive and magnetic politician in the State, was the new party candidate for Congress. The Democrats were alarmed, they felt that there was not a man in Alcorn's district that could cope with him in the area of politics. In this crisis the prominent leaders of the Democratic party were invited to a banquet at the Thompson mansion. The table was spread with all the munificence the occasion demanded, yet a cloud seemed to hang over the company that neither the presence of lovely women nor good cheer could dispel. When Mrs. Thompson arose and led the ladies from the dining-room, leaving the gentlemen to the discussion of wines and cigars, the question in every man's mind there present and which was voiced at once was, "where shall we find a man to run against Alcorn?" A name was mentioned, the leader shook his head. Name after name was proposed and discussed but still the leader shook his head and the gloom grew deeper over the assembled guests. Finally one gentleman asked if there was no man in the Democratic party who was fitted to enter the contest. Mr. Thompson said that we must have a man endowed by genius and culture with the qualities that make a politician and a statesman, he must be gifted with eloquence, and of scholarly attainments, he must have no political or moral sins to answer for, he must be ready to meet any question that may arise in an exciting campaign, and be able to win the masses over such an adversary as Alcorn. Judge Howry asked if we had such a man. To which Mr. Thompson replied "Yes, fill your glasses gentlemen and drink to his success when I name him." The glasses were filled; on every face were gleams of hope shaded with lines of anxiety. Mr. Thompson lifted his glass and threw back his head as he said, "Here's to L. Q. C. Lamar, our next congressman." For a moment there was a hush as if every heart had ceased to beat, then, as with one voice arose the cry, "Lamar! Lamar!" When the dreamy-eyed scholar

arose and tossed back his long hair the dreamer awoke, his eyes flashed with the lightning of his genius and there fell from his lips the grandest flow of eloquence ever heard in those stately halls. He seemed inspired. The conquest was complete and when he took his seat cheer after cheer arose for our next congressman. He was elected. There could be told many tales of love and pleasure enacted in this old home in its palmy days which would read like romance. Alas, those happy days are passed; the magnificent home is in ashes; and the courteous master and lovely mistress have passed over the river.

"Blue Mountain."

Blue Mountain Home was built by Frederic Brougher, a pioneer of Tippah county, a native of North Carolina. He came with his wife and seven children to Mississippi in 1836 and bought a large tract of land; pitched tents to shelter his family while the home was building. Before the first stick of timber had been cut Mr. Brougher was stricken with fever and was ill for weeks. They had no neighbors, were surrounded by Indians; and no physician within reach. Mrs. Brougher sought and found medicine for her sick husband in the herbs that grew on the mountain side, she provided food for her family with the aid of her shot gun. As soon as Mr. Brougher recovered he began the erection of a double log cabin two stories in height. This was their home for seven years. In this home was born Charles Brougher, who afterward became Secretary of State. In 1841 a more commodious dwelling was planned. The lumber for this building was all sawed with a "whip saw" as there were no saw mills in the country; the bricks were also made at home. The house was two and a half stories high. Broad verandas extended the length of the house on the second and third floors, the lower veranda was approached by a broad flight of steps from the beautiful grounds in front of the home. The building of a large house in those days was not a holiday job; for every stick of timber was handcut and handdressed, and window sashes, doors and outside blinds, were also made by hand.

The family were settled in the new home in the fall of 1843, 'tho it was not finished until the summer of 1844. The "house-

warming" was the wedding of the oldest daughter. In the years that followed the occupation of the new home it was the center of lavish hospitality characteristic of the homes of the old South. Large parties of young people from Ripley, six miles away, would often drive out in the early morning to drink from the famous spring that flows from the foot of the mountain. Many were the "house parties" entertained in this lovely home with its crowd of merry boys and girls.

Three sons of the home took up arms in defense of the "Lost cause." Only one returned; the other two gave their lives to their country, and sleep in a distant State. The father, Frederic Brougher, was Senator from Tippah in 1842, 1843 and 1844.

The mountain near which this home was built is covered with a growth of short leaf pine and at a distance, and in the morning light, has a blue appearance, hence the name "Blue Mountain."[2]

[2] A sketch of Beauvoir and of other historic homes of Mississippi will appear in the next volume of the *Publications*.—EDITOR.

EARLY TIMES IN WAYNE COUNTY.

By Jesse M. Wilkins.[1]

That portion of our great Commonwealth which to-day bears the name of the immortal "Mad Anthony" did not assume its present boundaries until nine years after Mississippi became a State. It nevertheless played an important part in the territorial history of this section. During the territorial days the present county of Wayne figured under several different names. When the counties of Adams and Pickering in Mississippi Territory were organized, April 2, 1799, the lands embraced in this county were divided between them by a boundary line running east and west.

On June 4, 1800, a third county, Washington, embracing all that part of the territory east of Pearl river, was formed. Wayne county thus became a part of Washington county. A county lying east of Wayne in Alabama still bears the name and was part of the old county of Washington. In 1802 Washington county was divided and that portion of it lying west of the present boundary line between Alabama and Mississippi became Wayne county. In 1809 the county of Wayne was organized by Legislative act with its present northern,[2] eastern, and southern boundaries, but extending westward to Pearl river. One county after another was organized, taking off portions of Wayne's territory on the west until the organization of Jones county in 1826, when it took its present western boundary.

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[1] Jesse Montgomery Wilkins was born near Winchester, Wayne county, Miss., Nov. 8, 1875. His father died in 1878, leaving the subject of this sketch and an infant sister under the joint care of their mother and of their uncle, Mr. Thos. Bryant. In September, 1896, he entered Mississippi College, at Clinton, Miss., which institution he attended only one session. In the summer of 1899 he was nominated over a number of old and influential citizens to represent his county in the State legislature. In the election which followed, he received a large majority of votes over his Republican opponent. During the winter of 1899 he married a Miss Mills, of Buckatunna, Miss., at which place he now resides. Mr. Wilkins is an active member of the Mississippi Historical Society. He has written a few articles for the local press.—Editor.

[2] A portion of the northern boundary seems to have been in dispute until as late as 1886.

Many highly refined families, some of which owned a large number of slaves and live stock, came from Virginia and the Carolinas to find homes in the wild southwest. Among the early settlersof Wayne county were the McRaes, McArthurs, McDougalds, McLaughlins, McDaniels, McDonalds and McLaurins. The constantly recurring "Mc" in the list of names tells whence they originally came. They not only brought with them the sweet language of their beloved "Scotia," but brought as well that Scottish simplicity which Burns so beautifully portrays in his "Cotter's Saturday Night." They were a hale, happy and industrious people, conservative in all things and inclined to make the best of existing circumstances. They loved culture and refinement and established schools and churches without delay. A number of these Scotch people settled on Buckatunna creek not far from the place now known as the Philadelphia Presbyterian church. It seems that a line of settlements were made along both banks of Buckatunna creek and Chickasawha river. From careful observation the writer has noticed that all the earlier settlements were made near the larger streams of the county, often almost on the banks. There must have been two reasons for this, the fertility of the swamp lands and the facilities of water transportation. The most important early settlements in the county were at Winchester, the first county site, and at the Scotch settlement on Buckatunna creek. The Scotch settlers built the first church and established the first school in the county. They were accustomed to call their American neighbors "Buckskins," which is a survival of the term applied by the British to the colonial troop in the old French and Indian War of 1755-63. The first school was established about 1812. The Gaelic language was spoken exclusively among the settlers, and was also taught in their school. This language remained the vernacular until the early 20's, when other settlers arrived, some of whose children knew English alone. For the sake of the English speaking children the teacher then forbade the further use of Gaelic in the school room. Having been discarded in the school, the Gaelic language soon fell into disuse except to a limited extent among the older people. To this day in that neighborhood the Scottish pronunciation of such words as "said" ("sade") is frequently heard.

Mr. Archibald McArthur was born in the Highlands of Scotland, June 22, 1804, and when about six years of age immigrated with his parents to the United States. As there was a large number of children in the party, young Archibald was smuggled on board as a stowaway. He spoke Gaelic every day until he was seventeen years of age, when in consequence of the prohibition against the use of Gaelic in the school, he began to speak English, with which he and the other Scotch boys were already more or less familiar. About 1822 he became connected with the Choctaw mission at Emmaus. It then became necessary for him to acquire some knowledge of the Choctaw language. Seventy-five years afterwards, when a very old man, he referred to the fact that he had utterly forgotten his Gaelic,—that he could not recall a single word of it—but that his Choctaw, which he had learned by hard work stuck persistently to his memory. He was acquainted with the Choctaw chief, Pushmataha, with whom he once dined at Emmaus. On this occasion, Mr. McArthur was very much amused by the method used by the old chief in peeling a sweet potato. He revolved it in his left hand, peeling it with his right thumb longitudinally, as it were, pushing the thumb nail from end to end, as a carpenter would his plane. Mr. McArthur died in Winston county, Mississippi, in the summer of 1896, aged 92 years.

Pushmataha was frequently a welcome guest in the home of Mr. Alexander Powe, a successful planter, who lived near Winchester. Mr. Powe had a large number of slaves, and like all Indians, Pushmataha had a great antipathy against the negro. To please his guest, Mr. Powe required one of his negro men to stand behind Pushmataha's chair and fan him while he ate. The negro also held a towel or napkin with which to wipe the distinguished guest's mouth when it became greasy. This marked attention pleased the old warrior very much as it emphasized his superiority over the negro,—whom he hated.

The following permit was issued to the older brother of Mr. Alexander Powe, who removed to Mississippi in the territorial period and whose descendants are to-day among the most prominent citizens of Wayne county:

"*State of Georgia*:

"By his Excellency David B. Mitchell, Governor and Commander-in-chief of the army and navy of this State and the militia thereof.

"To all to whom these presents shall come, or whom the same may concern, Greeting:

"Know ye, that the bearer hereof, Mr. William Powe, with his wife, eleven children and forty-six negroes, from Chesterfield district, South Carolina, have my permission to travel through the Creek Nation, they taking special care to conduct themselves peaceably toward the Indians and agreeably to the laws of the United States.

"In testimony whereof, I have hereunto set my hand and caused the Executive Seal of the State to be affixed thereto.

"Done at the Statehouse in Milledgeville, the 12th day of April in the year of our Lord one thousand eight hundred and eleven and the Independence of the United States of America the thirty-fifth.

"By the Governor, "ANTHONY PORTER,
"Secretary."

Mr. William Powe settled about one mile north of the present town of Buckatunna and his brother, Alexander, settled three miles higher up the Chickasawha river, two miles south of old Winchester. On their way to Mississippi these immigrants when they reached the Chattahoochie river had to abandon their wagons, as the Creek Indians would not allow any trees to be cut in their territory. Rolling hogsheads were constructed out of oak staves. They were packed full of the effects of the pioneers and rolled through the Indian country, mules or pairs of mules being hitched to them by means of staffs or poles. It is said that one of the Powe brothers having a considerable amount of silver, carelessly packed it in a hogshead which was filled with bacon. When he reached Wayne county he found his bacon ground to "hash" and the silver coins worn almost beyond recognition.

The pioneer settlers in Wayne county found a small tribe of Indians, the Hiowannis, in the northeastern part of it. As the history of this tribe has been assigned to the Hon. Peter J. Hamilton for investigation, it will not be treated in this connection.[3]

The Creek Indians were a constant source of apprehension to the early settlers of this county after the beginning of the War of 1813. This outbreak led to the erection of Patton's Fort at Winchester and Rogers' Fort, about seven miles north of that place. The exact site of the latter has not been located by the writer. The former was built a short distance south of a small creek near the railroad depot in Winchester. The old ditches of this fort may still be easily traced.[4]

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[3] See article entitled "The Yowanne, or Hiowanni, Indians," *infra.*

[4] Col. Claiborne incorrectly states (*Mississippi as a Province, Territory and State*, p. 336-37) that these forts were built after the massacre at Fort Mims. On this subject see also Halbert and Ball's *The Creek War of*

When the news of this uprising of the Creeks reached Wayne county, many of the citizens were attending a protracted meeting on Buckatunna creek, probably in the Scotch settlement. A hurried consultation was held and the people returned to their homes with the understanding that the men should the next day meet at Patton's mill to decide upon some course of action. At this meeting it was decided that a fort should be built near this mill for the protection of all families in the community. After the meeting adjourned, the men hastened to their homes, and as soon as convenient returned with their families, well supplied with provisions, working tools, and everything else needful for fort life. They began to work upon the fort without delay. In about a week it was completed and occupied. The fort was called Patton's Fort in honor of Col. James Patton, who was made its commander.

After the lapse of several weeks about fifteen families becoming dissatisfied with the discomforts of fort life, and the annoyances of some false alarms, abandoned the place and returned to their farms on the Buckatunna. They then adopted a plan for their own protection. When the duties of the day were over, these families would repair to some designated house in the community, around which sentinels would be posted for the night. The next morning before returning to their farm duties, another house would be selected as a place of meeting, at which all would assemble at the appointed time. They also organized a kind of scouting service. From time to time two men well armed and mounted would be sent in the direction of the enemy to watch and ascertain their movements. On their return they would be relieved and two others sent on a like errand. In this manner these Buckatunna farmers enjoyed the freedom of country life and kept up their farm work. Their scouting service was so efficient that the inmates of Patton's Fort depended upon them for information as to the Indians. Two of these farmer scouts, Cole and Crane, were the first to bring to Wayne county the news of the massacre at Fort Mims. This intelligence had little effect upon the sturdy farmers who left the fort. They remained upon their farms during the entire war. Fortunately for Wayne county forts no attack was ever made upon them.

Winchester, near which Patton's Fort stood, was the county site, and became a place of considerable importance in the territorial period and in the days of early statehood. It contained at one time more than thirty business houses. The writer has been unable to learn of the establishment of any school at this place in its early days. It is said that more than forty years elapsed after the founding of the town before a church was built. This place was the county site until 1854, when the court house was removed to Waynesboro. The old court house still stands on the site of old Winchester, a sad reminder of other days.

Among the prominent men who resided in Winchester was John McRae, father of Gov. John J. McRae. He engaged in the mercantile business in Sneedsboro, N. C., until the year 1817, when he removed his family to Winchester. Gov. McRae was born in North Carolina, January 10th, 1815, and was less than three years of age when he reached Winchester. His father continued the mercantile business in Winchester, where he prospered. He also became a cotton buyer, and was the first person to send barges down the Pascagoula river. The vessels were laden with cotton which was shipped to New Orleans. He finally bought lands at the mouth of the Pascagoula where he kept an agent to look after his interests. In 1826 he removed from Winchester to West Pascagoula for his health, the sea breeze being considered beneficial to those having weak lungs.[5]

[5] The writer is indebted to a sister of Gov. John J. McRae, Mrs. Catherine L. Hemsted, of Mobile, Ala., for the facts relating to the history of this prominent family. The following extract from her letter contains some interesting facts relative to the early life of Gov. McRae:

"Like all Scotchmen, he (her father, John McRae) was a firm believer in educating his children, and always kept them at the best schools the county afforded, or had a tutor at home. In Winchester the school being too far for the little boys to go alone, he paid the tuition of a young lad to go with them, the three little boys being all mounted on the same horse, while the lad walked beside. After moving to Pascagoula, he kept a tutor for a while, then boarded his children in a French family on the east side for two years, where they went to school to a Mr. Frederick, a most accomplished gentleman and a splendid teacher. He had been an officer in Napoleon's army. His school was very celebrated at that time. Later my brothers, Malcom and John, went to Miami University at Oxford, near Cincinnati, Ohio. Dr. Bishop was the president at that time. Brother John was always so amiable, courteous and kind he was loved by all who knew him. He was a great favorite of Dr. Bishop. I remember a little incident about which they used to chaff him, calling him the 'bright particular star.' It seemed when the roll was called, the president asked the birth State of each boy. Brother John was the only one from North Carolina. His answer caused some mirth among the other stu-

dents, North Carolina being for some reason looked down upon in that part of the country at that time. He was standing near Dr. Bishop who placed his hand upon his shoulder and said, 'Yes, and a bright particular star he is.' I think he graduated before he was nineteen. He then went to Pearlington, Miss., where he studied law under Judge Prey, who was then writing a code of Mississippi. While there, he fell in love with and married a widow, a Mrs. McGuire. He was not twenty-one and she was thirty-two. They were married in October, 1835. In 1836 he was appointed to read the code compiled by Judge Prey before the legislature in Jackson. After that he was engaged with Mr. Tyler, brother of President Tyler, in moving Indians from Mississippi to the Indian Territory. He was also deeply interested in getting the Mobile and Ohio Railroad built, going all along the line from Mobile to Cairo making speeches to get the people interested in it.....He was first elected to the State legislature, and was made Speaker of the House. Later he was elected to Congress and was also later appointed to the U. S. Senate. He was governor four years. Then went back to Congress and went out with the Mississippi delegation when the State seceded. He was elected to the Confederate Senate in which he remained until the surrender..... After the death of his mother and wife under the stress of business misfortune his health failed and he went into a rapid decline. His great desire was to meet once again his beloved brother, Colin J., who had been several years in Europe as financial agent for the Confederacy, but after the war went to Belize, British Honduras, C. A. In May, 1868, I sailed with him from New Orleans for Belize. We had a very rough voyage. He was very ill and so prostrated that he was just able to recognize his brother, was too weak to have any conversation with him. He died on the 31st day of May, 1868, and is buried in Belize beside his brother, who died in 1876."

Gen. James Patton, to whom reference has been made, was also a citizen of Winchester. He was a man of great popularity, being for many years the most conspicuous man in East Mississippi. Through his influence Winchester became at one time a center of political power, second only to Natchez. Under his tutelage Judge John Black and Judge Powhatan Ellis entered upon their public career. Gen. Patton was a fluent writer and an impressive speaker. He was elected lieutenant-governor and, but for his untimely death, would probably have attained the highest honors within the gift of the people of Mississippi.

Judge Powhatan Ellis was a Virginian by birth, and claimed to have the blood of Pocahontas coursing through his veins. He had a stately and courtly bearing, was mild and polished in manner, amiable in temper, and extremely indolent in habits. He was made judge of the fourth district by the Legislature of the State, which met in the town of Washington, in October, 1817. He was appointed a Judge of the Supreme Court of Mississippi, July 14, 1832, and in this capacity he served the State with dis-

tinguished ability for a term of four years. In speaking of the Judges of the Supreme Court of Mississippi, Col. Claiborne pays Judge Ellis the following compliment:

"Of these, Judge Turner and Judge Ellis seem to have delivered the most opinions—not surprising in the case of the first, who was industrious, but the latter, with his Pocahontas blood inherited the characteristic indolence of the race, so it must be construed as a high sense of official duty that induced him to write an opinion."

Judge Ellis served his adopted State one term in the United States Senate, after which he was sent to Mexico in some official capacity. He died in Virginia during the war between the States.

Another prominent citizen of Winchester was Mr. James Mayers, father of Judge A. G. Mayers and of Capt. P. K. Mayers. He was a native of Richmond, Va. After his removal to Wayne county he was elected successively to the offices of justice of the peace, clerk of the court, sheriff, and probate judge.

Among the settlers who came to the county just prior to the admission of Mississippi into the Union, were Gen. Wm. Lang, Willis and Stephen Lang, John H. Horn, Collins Horn, father of James A. Horn, former Secretary of State, Thomas P. Falconer, State Senator from his district and delegate to the Constitutional Convention of 1832.

To give a full history of these and of other families that have contributed a prominent part to the early history of Wayne county would be impracticable in this connection.

INDUSTRIAL MISSISSIPPI IN THE LIGHT OF THE TWELFTH CENSUS.

By A. M. Muckenfuss.[1]

In Bulletin No. 119, dated December 14, 1901, the Census Bureau has published the statistics of the enumeration of June, 1900, as to manufacturing in Mississippi. The data are arranged in the form of seven tables. The following paper is intended as a running comment on this report in the light of the State's industrial history and as an index to the future. For the actual figures tabulated reference must be made to the bulletin itself, except in so far as occasion may advise insertion of some of them here. These seven tables will be discussed in order and from them such calculations made as seem interesting and such inferences drawn as seem justifiable.

Table 1 shows the manufacturing and mechanical industries of the State of Mississippi as returned at the census of 1850 to 1890, inclusive, with the percentages of increase for each decade. This table also presents the average number of wage-earners employed by manufacturing establishments, in comparison with the assessed value of all real estate and improvements.

These comparisons reveal the rapid progress of Mississippi during the past twenty years in striking contrast to the thirty years that preceded them. While in the first of these decades the population increased ten times faster than the number of manufacturing establishments, in the last decade the case is almost reversed, the rate of increase of manufacturing over population being nearly nine times. With the two items, number of establishments and capital invested, as a basis of contrast an explanation of the fluctuations thereby exhibited is not far to seek. During the 50's, the State had to a large extent recovered from the speculative influences of the earlier half of the century. and was experiencing its first genuine industrial development. While num-

[1] A biographical sketch of the author of this contribution will be found in the *Publications of the Mississippi Historical Society,* Vol. III., p. 235.—Editor.

tinguished ability for a term of four years. In speaking of the Judges of the Supreme Court of Mississippi, Col. Claiborne pays Judge Ellis the following compliment:

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bers of establishments had increased only 3.1 per cent., capital invested showed a growth of 141.5 per cent. The war decade effectually checked the rise of this favorable movement and by placing a protective wall of ships and men around the South, caused a reversion of the position of these two items. Capital invested increased slightly (2.7 per cent.), while numbers, of establishments—mostly small affairs, necessities of the times—increased 77.4 per cent. It is not until the decade 1870-1880, that the temporary nature of this change and the blasting effects of the civil strife became evident. A decrease is then apparent, due largely, however, to a more limited basis of enumeration. The period of the New South in Mississippi may be said to begin with the next decade. Since 1880, the rate of growth has been rapid.

This census exhibits a far better showing for the State than any of its predecessors in the increased number of establishments. The increased value of lands and buildings invested in manufactures, 195.7 per cent., is also an auspicious exhibition. While the census of 1890 makes a somewhat better showing in many of the other items, the contrasts in important points are not great though the progress of the past ten years is eminently satisfactory.

A study of the rate of increase of the different classes of employees for the past three decades reveals the interesting fact that the number of men has increased very rapidly (11.1, 152.1, 92.0), that of women not so rapidly (116.2, 199.3, 39.6), while the number of children shows a rapidly decreasing rate of increase (110.8, 72.5, 15.4). The manufacturing population showed the creditable gain in 1890 of 148.2 per cent., the increase having been steadily growing less, according to former censuses. In an agricultural state, land and buildings used for manufacturing, exclusive of rented property, have increased from 3.8 per cent. of total values in 1890 to 8.3 per cent. in 1900. The fact that 1.7 per cent. of total population in 1900 were employed in manufacturing, as against 1.1 in 1890 and 0.5 in 1880, reveals the continued healthy growth of the State's manufacturing classes. With a capital invested in manufactures of over 35 millions, giving products valued at forty millions, with $8,640,186 disbursed in wages and salaries, and $40,420,000 as value of products, industrial Mississippi is demonstrated to be no small factor in the whole State, and is

rapidly changing the once exclusively agricultural nature of the Commonwealth.

This condition of affairs is only flattering in the light of the past and as an omen of the future. When Mississippi's 35 millions is set beside that of a small State in the North, Rhode Island, with 183 millions, a small State in the South, Florida, with 34 millions, or a State in the Far West, Oregon, with 33 millions, the contrast is perhaps not so creditable. Fortunate in geographical position, replete with age, average in size, the State must be studied along other lines to explain its comparatively recent movement towards manufacturing development.

As a State, Mississippi is older than Maine, Missouri, Illinois, or Michigan. The first settlers upon the coast were a dependent set of men and the colony soon became one of ill repute. Not until it came under the wise rule of the English, did it show characteristics of permanency. The census report for 1812 tells of 1,330 looms, 22 cotton and woolen factories, 10 tanneries, and 6 distilleries. The West Feliciana railroad, incorporated in 1831 and constructed soon after with standard guage, is claimed to have been the third railway operated in the United States.[2] No better industrial showing could be expected of a pastoral community.

But tares had been sown with the seed. At the period of the opening of the Chickasaw Cession to settlement, it is conceded that no land sales presented a higher degree of excitement or more gigantic schemes of speculation.[3] No State "plunged more boldly into the corrupt banking systems of the times and none suffered more disasterous consequences." The result was the financial panic of 1837, repudiation of bonds in 1842, and industrial collapse. The confidence of sister States in Mississippi's general policy and laws was entirely destroyed.[4] In 1849, in spite of the large number of railroads that had been chartered, there were only two short lines constructed, hardly aggregating fifty miles.[5] The census of 1850 gives 3,154 employed in manufactures as against 4,150 in 1840. By 1860, however, the tide had begun to

[2] *Memoirs of Mississippi*, I. 183.
[3] DeBow's *Industrial Resources of the South and West*, II., 4.
[4] DeBow's *Industrial Resources of the South and West*, II., 42.
[5] *Memoirs of Mississippi*, I., 78.

rise again. The State was in a progressive industrial condition at the outbreak of the Civil War. The number employed in manufactures had increased to 4,775. There were 8 textile factories and 227 lumber mills.

A glance at the decreasing percentages of table 1 reveals the fact that they are all from 1860 to 1880. The stagnation of this period throughout the South is well known. In comparing 1870 with 1860, Gov. Alcorn stated that there had been a loss of 62 per cent. of home manufacturers.[6] In the latter year, there were 2 car shops, 5 woolen factories, and 4 cotton oil mills. But Alcorn had with worthy foresight organized an immigration bureau. In 1871, the Mississippi Cotton Mills were established, a plant that developed into what was claimed in 1892 to be the largest industry of its kind in the South.[7] The period 1880-1890 was marked by great efforts to attract manufacturers. In 1882, the Legislature passed an act exempting machinery of factories from taxation for ten years. The State led the Union at the New Orleans Exposition in its exhibit of woods.[8] There were 4 new cotton mills according to the census of 1880, and 1 in 1890. The latter enumeration gives 3 fertilizer factories, all new, an increase of 5 cotton oil mills, and 13 turpentine stills. The value of manufactured products doubled from 1880 to 1886.[9]

It must be acknowledged, however, that Mississippi has few of those natural advantages that foster a manufacturing population. In a comparative sense, it now possesses practically no harbor, no water power, and no mineral resources. There are four cities upon its very borders, to each of which three or four railroads converge and thereby drain it of population as well as wealth. In contrast with other States of the South, it is recorded to have had before the Civil War the smallest percentage of middle-class whites, the source of factory labor.[10] But Mississippi is fortunate in its wealth of raw material. The cotton and cotton seed, the pine and hard woods, must be worked up into the highest grade of manufactured product and this can be most economically done at home.

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[6] *Memoirs of Mississippi*, I., 100.
[7] *I. C. R. R.'s Where to Locate New Factories*, 801.
[8] *Memoirs of Mississippi*, II., 120-122.
[9] *Memoirs of Mississippi.*
[10] *Memoirs of Mississippi.*

Table 2 divides the industries of the State between the hand trades and the manufactures proper. This table also gives the statistics for state institutions and establishments with a product less than $500. These hand trades include 58.3 per cent. of all manufacturing establishments, but their output was only 8.4 per cent. of the total value of the State's products. The Twelfth Census records 68 idle establishments for Mississippi, but 40 of these were cotton gins. The total idle capital is only $68,677.

Table 3 presents the statistics for the eight leading industries of Mississippi for 1900 and 1890. These have varied somewhat with the decades. In 1860, the eight leading industries were blacksmithing, carriages, cotton gins, cotton goods, flour and meal, leather, sawed lumber, and machinery.[11] In 1880, they were brick and tile, carriages and wagons, cotton goods, flouring and grist-mill products, foundry and machine shops, sawed lumber, cotton-seed oil and cake, and woolen goods.[12] A glance at the table discloses the rapid progress of the present leading lines of manufacture. The capital invested in them rises from $9,794,213 in 1890 to $29,219,084 in 1900. Lumbering easily retains its place as the largest industry of the State, capital invested in it being in fact almost as much as that of the other seven combined. If cotton ginning, where the statistics of 1890 evidently are limited to public gins, is excepted, planing mills have shown the most rapid increase in capital during the past ten years, followed closely by the turpentine stills. The cotton-seed oil mills have risen from third place in 1890 to second in 1900. The others have maintained their progress, with the exception of flouring and grist-mill products.

We will now consider the eight leading industries in order of importance.

The biggest asset nature provides the manufacturer with in Mississippi is, of course, lumber. In 1840 it was estimated that the State contained 3,500,000 acres of timber in the Yazoo Delta, including the largest forest of sweet gum in the world.[13] There were at that time about 20 billion feet of long-leaf and 13 billion feet of short-leaf pine. The amount of cypress, red gum, and

[11] *Census*, 1860.
[12] *Census*, 1880.
[13] *Memoirs of Mississippi*, I., 20-23.

hard woods in general was estimated to be nearly equal to the pine. In the aggregate, no larger percentage of this timber has been cut away during the succeeding sixty years. The State is fortunate in having to a large extent reserved the exploitation of her forests for the more remunerative period of the present. There were 227 saw mills and 1 planing mill in 1860, and 295 and 6 respectively in 1880. During the twenty years following 1880, the rates of increase have been 186.1 and 466.6 per cent. The fact that planing mills showed such a rapid development indicates that the lumber industry in Mississippi has passed out of its initial stage and that hereafter the ideal will be the finished product.

The first railroad shops in the State were those of the West Feliciana Railroad at Woodville.[14] The second probably was at Lake destroyed in 1864 and subsequently removed to Meridian. The largest and most complete is said to be at McComb City. The five recorded for 1890 are all large establishments. The four additions for 1900 are smaller affairs, erected by short line railroads at convenient junction points.

It is claimed that the cotton oil industry had its birth in the brain of a Mississippian, John Ross, who in 1801 made the first written suggestion that oil be "expressed" from the cotton seed and prophetically named its uses.[15] The first mill in the State, if not in the world, was that of Sir William Dunbar, the Benjamin Franklin of Mississippi. This mill, concerning which tradition speaks, was erected at or near Natchez in 1834.[16] The industry has shown the gratifying increase of 215.3 per cent. in number of establishments during the past decade. It was started permanently in the 60's, there being 4 mills in 1870. There are two oil refineries, in Jackson and Meridian. Greenville has the credit of possessing the largest number of oil mills, while Meridian has the largest single mill.

The date of the Twelfth Census was unfortunate for Mississippi in its exhibit of cotton mills, showing a decrease from 9 to 6 in number of establishments. In the summer of 1900, there were at least six of these mills in process of erection and therefore

[14] *Memoirs of Mississippi*, II., 87.
[15] Lowry and McCardle's History of Mississippi, 137.
[16] Tompkin's *Cotton and Cotton Oil*, 210.

not enumerated. The report nevertheless shows a gain in capital invested. The manufacture of cotton goods has had a varied history in Mississippi as in other Southern States. Starting with numerous small mills—by 1840 there were 53—operated largely with slave labor, the industry was annihilated by the Civil War. Perhaps the largest and most complete establishments in those days were the Pearl River Mills at Jackson and the Edward McGehee Mill at Woodville, both destroyed by the Federal army. Since 1865, the industry, starting anew, has steadily advanced from 5 in 1870 to 8 in 1880 and 9 in 1890. Retrograde movements have been caused in several instances by the scarcity of white labor, due to the erection of too large a plant, or by the hasty purchase of second-hand machinery.

In 1860 there was only 1 turpentine still in the State; in 1880 there were 11; in 1890, 24; and in 1900, 145. It is seen thus that this is strictly one of the State's post-bellum industries. The growth since 1890 has been most rapid, the value of products showing a gain of 528.3 per cent.

There were 11 cities and towns in Mississippi in which the manufacturing and mechanical industries were considered of sufficient importance to justify their withdrawal from the enumerators and the appointment of special agents to collect the statistics. Table 4 presents the totals for these and places them in comparison with the totals for the entire State and the State exclusive of those places. The State contains no city of over 20,000 inhabitants, for which statistics would be presented in detail.

Let us now consider separately each of these 11 manufacturing centers.

It appears from table 4 that only a small percentage of the manufacturing establishments of the State is located within the corporate limits of the 11 cities and towns. The urban manufactures, as they are termed, constitute 11.2 per cent. of the establishments in the State, 22.3 per cent. of the capital, 24.2 per cent. of the wage-earners, 29.2 per cent. of the wages, and 28.3 per cent. of the products. Vicksburg and Meridian have exchanged positions, the latter now being the largest manufacturing center in the State. This city, which was a junction point, whose very name was in dispute up to 1854,[17] which remained a village until

[17] *Memoirs of Mississippi*, II., 157.

1866, has been since the latter date the most rapidly growing place of imoprtance in the State. Its first factory was a foundry and machine shop in 1866; next came a planing mill. In 1890 the city possessed 22 manufacturing establishments and 119 in 1900. It has thus shown a gain in this direction of 440.9 per cent. in the past decade.

Vicksburg, the largest city in the State, but third in number of manufacturing establishments and capital invested, has had a checkered career. Founded in 1822, it had become in 1860 a prosperous town with such industries as saw mills, foundries, soap and wagon factories.[18] After the siege came the disastrous fire of 1866, the cut-off by the river in 1876, a decimating scourge of fever in 1878, and another large fire in 1883. Its citizens had lost fully a million dollars in the collapse of the Mississippi banks. In the light of these facts should be viewed its showing in 1900 of $1,360,890 invested in manufactures, with an output valued at $1,871,843, the second largest in the State.

Natchez is of course the oldest manufacturing center in Mississippi as well as one of the oldest in the South. In 1720, or 22 years after its first settlement, Natchez possessed a grist mill, a forge, and a machine shop.[19] But 16 years after the massacre at Ft. Rosalie, in 1745, there were only eight white persons living in the place. In 1812 it had 17 manufacturing establishments, with a population of 1,511. The first great enterprise was the Natchez Cotton Mill, 300 looms, followed soon by the somewhat smaller Rosalie Mill. Natchez stands third in capital invested in manufactures.

In proportion to capital invested Jackson has the largest manufacturing output in the State. It is second in number of establishments. Its position as the political center of the State has until recently affected it as a manufacturing community. During the past decade, however, its position as the greatest railroad center of the State has begun to tell and its manufacturing population has risen rapidly. Its latest plant is perhaps the best equipped fertilizer factory in the State, an industry in which it has always been prominent.

In these four cities, there is a combined capital of $5,627,679, or

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[18] *Vicksburg Directory*, 1860.
[19] *Memoirs of Mississippi*, II., 159.

70.3 per cent. of total urban manufactures. Of the next group of four, Columbus, Corinth, Biloxi, and Scranton, the last owes its position to its large investment in lumber mills. Corinth and Columbus are the only large manufacturing points in the northern portion of the State, a section supplied principally by Memphis. Aberdeen and West Point are also mentioned in the north and Handsboro in the south, which completes the roll of the eleven.

Table 5 shows the totals for the State by counties. In 1860, and also in 1880, there were 10 counties that showed a value of manufactured products amounting to over $200,000. But in these twenty years, the counties of Choctaw, Hinds, Oktibbeha, Rankin, and Tishomingo had been displaced from the position by Copiah, Jackson, Lauderdale, Lincoln, and Wayne showing the effect of the growing lumber industry. As an indication of the growth of the last two decades, it may be mentioned that 38 counties now have manufactures with a value of products of over $200,000, and 24 counties a value of over $500,000.

Table 6 shows the totals for the State by specified or selected industries. During the period 1860 to 1880, four industries succumbed to the new conditions, namely, the manufacture of hats, of lime, marble and stone work, and wool carding. By a comparison of these two periods with 1900, in respect to some of those important industries that have survived, it is found that number of establishments of agricultural implements have decreased from 34 to 12 to 3; brick and tile, increased, from 10 to 54 to 74; carriages and wagons, decreased from 86 to 49 to 40; furniture, fluctuated from 26 to 9 to 12; printing, increased from 11 to 11 to 181; saddlery and harness, fluctuated from 27 to 24 to 37; and watch repairing, increased from 1 to 6 to 76. Three new industries may be mentioned as appearing in the State since 1890; bicycle repairing, with capital invested of $9,027; wooden packing boxes, capital $51,525; and canning of fish, capital $122,580. The reports for 1890 and 1900 show that capital invested in fertilizer companies has increased 95.8 per cent.; ice factories, 195.3 per cent.; mineral and soda waters, 187.5 per cent.; canning and preserving oysters, 54.6 per cent.; printing and publishing, 54.3 per cent.; and sugar and molasses refining, 458.3 per cent. Only

one important line of manufacture, that of woolen goods, has shown a decided decrease in capital, the percentage being 79.4.

Table 7 shows the totals for cities and towns under 20,000 inhabitants in greater detail than table 4.

In conclusion, the gratifying nature of Mississippi's manufacturing progress as shown in the reports of the Twelfth Cenus may be reiterated. This progress has not been confined to any one section. While our cities have grown remarkably, the towns, large and small, are not far behind. It is doubtful if many States in the Union will show larger rates of increase in manufacturing of 1900 over 1890 and 1880. Our position to-day is very much like that of the Carolinas a decade ago, and in their present manufacturing prowess we may cast our horoscope. We stand at the very threshhold of our brilliant industrial future, and with the inspiration of a glorious past will surely march in to the possession of a well-deserved inheritance.

THE MSSISSIPPI RIVER AND THE EFFORTS TO CONFINE IT IN ITS CHANNEL.

By Wm. Dunbar Jenkins.[1]

Historical.

Within a stone's throw of the historic line which marks the southwestern boundary of the State of Mississippi, known as the 31st parallel, there lies a beautiful lake, called "Lake of the Cross." It derived its name from the fact that there once existed on a small timber-covered island at its head or upper end, a rude stone monument in the shape of a cross, and tradition says that this stone cross marked the burial place of Hernando DeSoto, the discoverer of the Mississippi river.

We are familiar with the history of DeSoto's expedition, hard-

[1] William Dunbar Jenkins is a descendant of a long line of celebrated ancestors. An account of his mother's family will be found in a sketch entitled "Sir William Dunbar, The Pioneer Scientist of Mississippi" (see *Publications of the Mississippi Historical Society*, p. 85-111). The Jenkins family is of Welsh descent. The Hon. Robert Jenkins, the grandfather of the subject of this sketch was an extensive iron manufacturer of Pennsylvania, being largely interested in the Windsor Forges. He was at one time a member of Congress from that State. Dr. John Carmichael Jenkins, the father of Maj. Wm. Dunbar Jenkins, was educated at Dickinson College, Carlisle, Pa., and at the University of Pennsylvania, graduating in medicine at the latter institution. Upon the completion of his education he settled in Wilkinson county, Miss. In 1839 he was married to Miss Annis Dunbar, the granddaughter of the celebrated Sir William Dunbar. The second son of this marriage, Maj. Wm. Dunbar Jenkins, was born in Adams county, Miss., in 1849. He was educated in the military schools of France and Belgium. He studied Civil Engineering at Washington College, now Washington and Lee University, Lexington, Va., from 1869-71. Since that time he has been actively engaged upon his profession. He has done some important bridge work, including the Randolph bridge of the Missouri river at Kansas City, Mo., etc. He has conducted land and government surveys and levee work on the Mississippi river. He has also served as chief engineer of railroads in the South and Southwest and chief engineer of Aransas Pass harbor and jetty work, Texas. In 1898 he was appointed by President McKinley to the position of major of volunteer engineers and chief engineer officer of the first division, 2nd army corps. The year following he voluntarily resigned this position to resume the active practice of his profession. Maj. Jenkins is a member of the American Society of Civil Engineers, the Society of the Sons of the Revolution, the Maryland Historical Society and the Mississippi Historical Society. A sketch of his life will be found in *Who's Who in America* (1901-2).—Editor.

ships, battles with savages, and the sickness and exhaustion of his bold body of cavaliers, bent upon discovery and exploration. We can trace the route followed by them from the coast of Florida to the mouth of the Red river. DeSoto fought his last battle with the Indians on Sicily Island, May, 1542; and with his handful of brave followers, he descended the Black river into the Red and thence down the Red river to its mouth, where it empties into the Mississippi. History then relates that DeSoto there died and that his companions fearing mutilation of the body by savages, made a rude coffin and placing the body therein, sunk it in the middle of the river, "in nineteen fathoms of water."

I cannot lend my mind to the belief that this great chieftain, Spanish nobleman of great wealth and influence, one of the conquerors of Peru, was accorded such a grave by his faithful and admiring followers. It may be true that the coffin was "hewn from a piece of green oak" and his body secreted from the Indians and its resting-place marked, not by a sounding lead recording "nineteen fathoms" (114 feet), but by its location on this small island at the head of the lake opposite the mouth of the Red river.

Whether it was the intention to remove the body later or to erect a monument over the grave, we must believe now that the latter course was adopted and the stone cross above mentioned, which positively did exist there and which gave to the French geographers later, a name for the lake ("Lac de la Croix"), was, no doubt, transported and planted at the sacred spot by loved ones about the beginning of the seventeenth century and there it was found by the French engineers and remained until it crumbled with age, or was covered by subsequent inundations. The Indians, it may be safe to remark, may have been made to believe that the body of DeSoto was sunk in the turbid waters of the river, "in nineteen fathoms," *fully out of their reach.* Is it not plausible to believe that the grave of DeSoto lies at the foot of the State which bears the name of the great river he discovered?

It is fitting here to note that the northern boundary of our State, where it joins the Mississippi river, is also linked with the illustrious name of DeSoto.

Geographical.

The history of Mississippi would not be complete without some account of this great river, which washes its shores and forms a part of its western boundary for upward of five hundred miles.

The western boundary, extending as it does geographically, from the 31st to the 35th degree of north latitude, would seem to indicate a length of four degrees or only two hundred and seventy-eight (278) statute miles, but by river the distance is twice as great and we have a frontage, or more properly called, "a danger line," of five hundred (500) miles.[2] This is due to the sinuosities in the ever-changing bed of the stream.

Geological and Topographical.

It is the tendency of all rivers with swift-flowing currents, to assume the "serpentine" or "S" shape. It is the old law of "the angle of incidence being equal to the angle of reflection," only substitute "deflection" for "reflection" and we find that the current striking the bank at an acute angle, is deflected to the opposite shore at an equal angle, only to rebound again, so that wherever the bank receives the impact of the current, it yields its soft sandy nature to the force which gradually eats its way into it, a sand-bar forming and following on the immediately opposite shore ("automatically adjusting itself to the requirements of the stream," so that it will be neither too wide nor too narrow), and thus a straight reach is soon converted into bends or alternate curves and its distance materially lengthened.

It does not require the skill of an expert geologist to discover the fact that the Mississippi river is now nowhere near its channel of two or three centuries ago; if I may follow up my observations in this line, I will say that the bed of the stream has generally travelled west, though in places it would seem that the opposite direction had been the rule. I may further state that evidences exist that the river once skirted the foot of the bluffs which extend from the 33rd to the 31st parallels, but which now in places has receded from them for miles, leaving rich alluvial or "bottom" lands which are capable of cultivation where reclaimed and protected from inundation.

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[2] Mid-stream distance, the channel distance being about 5% greater.

We must note also, to our sorrow, that some of our towns and even cities have been "left," not always "high and dry," but left some distance away from the river. Fort Adams, Grand Gulf, Vicksburg, St. Joseph, La., are notable examples, while others have been swept out of existence or have caved away to add material to sand-bars or "mud-lumps" below. Even minor changes in our boundary are noted, caused by "cut-offs" and new channels, inland lakes, which once no doubt formed the bed of the river, are again disturbed by the current of muddy waters and in our short lives can we notice perceptible changes in the course of this mighty stream; who can say, even in this age of scientific discovery, enlightenment and progress, that this fluvial mastodon can and will eventually be controlled and bridled?

It is attributed to the immortal Prentiss, that in one of his public speeches, he said:

"When God made the world, He had a large amount of surplus water which He turned loose and told it to go where it pleased; it has been going where it pleased ever since and that is the Mississippi river."

What geological changes have taken place since the creation of the world, we have largely to conjecture, having before us only present conditions, accurate charts of comparatively recent dates and the existing evidences on the land.

Looking at the topographical features of the country as they now exist, we can reasonably suppose that the Mississippi river has always been within a few miles of its present general location. It may, however, after passing the hills at Memphis, have made its channel down and through Horn lakes and Horn Lake creek into the Yazoo river. Thence skirting the foot-hills to Walnut Hills, it was deflected by the line of bluffs in a southwesterly direction to the 31st parallel, where it swept around to the southeast, if it did not find a shorter route to the sea by the way of the Atchafalaya, or even empty its muddy waters into the Gulf of Mexico at that point; for the Mississippi river from its present mouth to the mouth of Red river, is an estuary, or arm, of the sea.

The mouth of Red river is the "jumping off place," so to speak, looking at a longitudinal section of the bottom of the river. When we strike the "great bend," after leaving the 31st parallel, the current of the river becomes sluggish, the slope being much less, the oscillation, or rise and fall, is decreased and the depths of water are greater. The historical accounts (at the time of De-

Soto's death) give the depth of water at the mouth of Red river, as nineteen fathoms, or 114 feet. By actual measurements, the maximum depth of the river between the mouth of Red river and Baton Rouge is now 114.6 feet, between Baton Rogue and New Orleans it is 116.9 feet; while the slopes at low water amount to a small fraction of a foot per mile (.03 to .02). Three hundredths to two hundredths of a foot is the actual low water slope from Bayou Sara down, varying though with the wind and tides which are felt even as far up as Baton Rouge, two hundred and forty miles from the Gulf.[8]

Now the upper half of our valley is practically one hundred (100) feet higher than the lower half; that is, the line of contour, known as the one hundred feet contour line (100 feet above sea level), runs from east to west parallel to and south of the 31st degree of latitude. It then turns north or northeasterly, parallels the Mississippi river to the 33rd degree, and then crosses almost due west and along the 33rd parallel into Louisiana, thus making, as above stated, the valley south of the 33rd parallel, which divides the State exactly, one hundred feet lower than that portion north of this parallel. I am speaking in general terms and always of the river front.

Hydrographical.

We may appropriately note here, the difference in some of the gauges: at the mouth of Red river, 311 miles from Port Eads, the elevation of the low water surface is only 3.1 feet above sea level (mean Gulf level); at Natchez, 376 miles from Port Eads, low water surface is 16.4 feet above mean sea level; at Vicksburg, low water is 40.9 feet above; at Lake Providence, La., 522 miles, low water is 69.9; at Greenville it is 88.6 feet; and at Memphis, 834 miles from Port Eads, the low water surface is 181.8 feet above the mean Gulf level.

Thus we see that from the Gulf to Red river, the distance is 311 miles and the rise only 3 feet, from Red river to Lake Providence, distance 211 miles, the rise is 66.8 feet and from Lake Providence to Memphis, distance 312 miles, rise 111.9 feet.

The first point above the mouth of the river, where the bottom of the channel rises above the level of the Gulf of Mexico, is near

[8] Difference between high and low tide, Gulf of Mexico, Port Eads, is 2.8 feet.

Waterproof 401 miles from the Gulf. Matthew's Bend, between Greenville and Lake Providence, and distant from the Gulf 555 miles, is the highest point where the bed of the river goes below the level of the Gulf of Mexico. Here the depth at low water is 83 feet.[4]

Dimensions of the Great River.

We often hear it stated that the Mississippi is a mile wide. By actual measurements and reductions the Mississippi river has been found to be, in breadth, as follows:

From Cairo to Helena, Ark., it is over a mile in width, or more exactly from 5,875 feet to 5,282 feet;

From Helena, Ark., to the mouth of Red river, it is less than a mile wide, or from 4,758 feet to 4,030 feet in width;

From Red river to Baton Rouge it is 3,260 feet in width, and from Baton Rouge to the head of the Passes, it is a little less than half a mile in width, or from 2,628 feet to 2,605 feet, thus gradually decreasing in width as it flows to the sea.

We have seen that the greatest depth (Maximum Thalweg) is about 117 feet between Baton Rouge and New Orleans, and 114½ feet between Red river and Baton Rouge. The *depths* now *decrease* as we *ascend* the river, as follows:

Red river to Natchez, 101 feet;
Natchez to Vicksburg, 92 feet;
Vicksburg to Helena, 84 feet;
Helena to Memphis, 63 feet;
Memphis to Cairo, 72 feet (average).

Computations show that while there is considerable variation in the breadth and depth of the river, that is, decreasing in width and increasing in depth as it flows to the sea, the cross-section varies but slightly, the average cross-section, from Cairo to New Orleans, being a little over 200,000 square feet.

The greatest cross-sections occur between Cairo and Plum Point and between Vicksburg and the mouth of Red river, 214,000 and 212,000 square feet respectively; the smallest cross-section is between Baton Rouge and New Orleans where it is but 184,000 square feet. (See tabulated statement for exact figures, compiled from reports and survey of the Mississippi River Commission and Ockerson's *St. Louis to the Sea.*)

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[4] From Ockerson's *St. Louis to the Sea.*

It may be of interest to note here that the 500 miles of river front forming our western boundary, say from Memphis to the mouth of Red river (distance 528.6 miles), is a most formidable stream, having an average width of 4,712 feet, an average depth of 51.5 feet and an average cross-section of 198,957 square feet.

Theoretical and Statistical.

With these exact measurements and figures before us, let us consider from an engineer's stand-point the ability of this channel to carry off the waters from its tributaries or, I might say, the adaptability of this seemingly large water-way to the area which it drains, and by way of illustration I will proceed by the usual method:

An engineer, in making a calculation for an opening in an embankment to pass the water through, first inspects carefully and estimates or measures the extent of the area of drainage to be controlled by the opening. Statistics of the streams are gathered and data as to rainfall, storm waters, velocities of the streams, nature of the soil, absorption, &c., all go to make up the estimate for the opening to "take care of" the drainage waters. There are fixed rules for determining the size of the opening necessary, but we will say that he adopts Fisk's rule that "one square foot of opening will drain ten acres of the water-shed." If he has 100 acres of water-shed lying on one side of his embankment, he figures the opening, to accommodate it, at ten square feet. If he has one square mile, or 640 acres, to drain, his opening should be 64 square feet, and so on. Carrying out this principle, (and as absurd as it may seem, it is nevertheless mathematically correct), if he has one and one-quarter million square miles to drain, his opening should be 80,000,000 square feet, or 400 times the size of the stream which flows so majestically past our doors!

The area drained by the Mississippi river on our front is 1,143,038 square miles; this is exclusive of the Red river basin which is practically below us!

I must not be understood as meaning that we need a channel 400 times the size of the present one, to carry off our flood waters; I am simply endeavoring to illustrate the fact that our present channel is inadequate to the demands made upon it at times, as we all know too well.

TABULATED STATEMENT COMPILED FROM REPORTS AND SURVEY OF THE MISSISSIPPI RIVER COMMISSION AND OCKERSON'S "ST. LOUIS TO THE SEA."

ROUTE.	Distance, miles.	Water area, Cross-section, Square feet.	Width, feet.	Depth, feet.	Curvature per mile.	Thalweg depth (500' wide).	Maximum depth.	H. W. discharge, cubic feet per second.	L. W. discharge, cubic feet per second.	H. W. slope, feet per mile.	L. W. slope, feet per mile.
								(Belmont)	(Belmont)	0.34	0.30
Cairo to New Madrid, .	65.3	214,022	5282 (?)	55.5	21°32′	66.4	75.0	1,600,000	150,000		
										0.45	0.46
New Madrid to Plum Point, ...	95.5	210,745	5712	50.2	24 34	51.8	67.7	. . . . .	. . . . .	0.53	0.43
										0.44	0.35
Plum Point to Memphis, ...	70.2	199,894	5682	60.9	26 33	66.1	73.9	Fulton 1,282,000	. . . . .	0.50	0.48
										0.43	0.48
										0.45	0.45
Memphis to Helena, .	71.2	195,831	5876	37.6	28 07	57.5	63.2	Helena 1,848,000	Helena 150,000	0.36	0.48
										0.45	0.44
										0.45	0.44
Helena to Arkansas River, ...	96.1	190,746	4563	55.4	24 44	74.3	81.2	. . . . .	. . . . .	0.39	0.30
										0.30	0.42
Arkansas River to Greenville.	78.0	196,901	4555	53.1	27 04	81.2	86.1	Ark. City 1,418,441	. . . . .	0.29	0.36
										0.34	0.21
Greenville to Lake Prov., ...	61.7	198,720	4758	51.5	22 01	73.8	81.6	. . . . .	. . . . .	0.34	0.21
										0.38	0.26
Lake Prov. to Vicksburg, ...	61.4	194,954	4675	58.0	26 06	81.6	85.6	. . . . .	. . . . .	0.38	0.43
										0.22	0.43

TABULATED STATEMENT COMPILED FROM REPORTS AND SURVEY OF THE MISSISSIPPI RIVER COMMISSION, ETC.

ROUTE.	Distance, miles.	Water area, Cross-section. Square feet.	Width, feet.	Depth, feet.	Curvature per mile.	Thalweg depth (500′ wide).	Maximum depth.	H. W. discharge, cubic feet per second.	L. W. discharge, cubic feet per second.	H. W. slope, feet per mile.	L. W. slope, feet per mile.
										0.26	0.24
										0.38	0.18
Vicksburg to Natchez,	99.1	203,356	4526	49.0	31 16	85.0	91.7	. . . . .	. . . . .	0.34	0.22
								Red River		0.16	0.17
Natchez to Red River,	61.1	212,192	4030	56.1	26 41	92 0	101.3	1,595,310	223,833	0.23	0.29
Red River to Bâton Rouge, ...	72.1	199,960	3260	66.5	28 32	100.3	114.6	. . . . .	. . . . .	0.25	0.12
										0.21	0.02
										0.18	0.03
										0.15	0.04–V.
Bâton Rouge to New Orleans, ...	136.2	184,189	2605	72.4	29 31	101.5	116.9	Carrolton 1,280,276	. . . . .	0.19	0.03
										0.13	0.02
New Orleans to Head of Passes, ...	89.7	161,155	2628	64.4	20 15	90.3	101.8	. . . . .	. . . . .	0.14	Varies with wind and tide.

Average Cross-section Cairo to N. O , ... 200,126 sq. feet.
" Depth—Cairo to N. O., ... 55.5 feet.
" Width—Cairo to N. O., ... 4,500 feet.
Average Cross-section Cairo to Head of Passes . . 197,126.
Distance, Cairo to N. O., 950 miles.
Distance, Cairo to Head of Passes, 1040 miles.

Average Cross-section, Memphis to Red River . 198,957 sq. ft.
" Depth—Memphis to Red River, . . . 51.5 feet.
" Width—Memphis to Red River, . . . 4,712 feet.
Distance, Memphis to Red River, ... 528.6 miles
" 35° to 31° N. Lat., ... 500.0 "
(Mid stream distances, channel distances 5% greater.

We may liken the Mississippi river and its tributaries, in shape, to a huge funnel, a very large funnel with an extremely small tapering spout. Now the drainage area of the Mississippi is 1,240,038 square miles, equal to nearly 800,000,000 acres. From the Alleghany mountains on the east to the Rocky mountains on the west; from the State of New York, northeast, to Montana and even British Columbia, northwest, from twenty-eight States of the Union, do we receive the rain waters and melting snows annually through the already congested opening provided by nature to convey them to the sea. It is justly called "The Father of Waters," not because it is so great or so lengthy, but because it has so many children or tributaries to take care of.

We must bear in mind that the spout of our funnel is not covered, not cylindrical; it is in fact but half a spout, open at the upper half, semi-cylindrical, if you please, at the bottom; enabling the flood waters to escape freely over its sides. It is barely worth while to stop to consider what would be the consequences, were our funnel to be full and to discharge its waters upon us all at once; our neighbors across the way might consider us fortunate in the security of our formidable bluffs along the river front. But let us look more closely. One of the largest basins of the Mississippi valley is the Yazoo basin, which forms a part of our State; rich, fertile and very productive, it might well be called the "garden spot of Mississippi." Its length is 190 miles and it has a width of fifty miles or more, the greatest width being across from Greenville to Greenwood or to about the site of Fort Pemberton on the Yazoo; here the width is sixty miles. Its area is 6,650 square miles, all subject to overflow with the exception of a narrow ridge along the upper Yazoo river. In addition to this great basin, we have exposed to inundation, 278 square miles of alluvial lands in the Homochitto basin, making in all, nearly 7,000 square miles of our territory, subject to inundation, while on the opposite side of the river, between the 31st and 35th parallels, there are 5,370 square miles of the Tensas basin and 956 of the white river basin, distributed into narrow valleys, together making less than our 7,000 square miles of overflow area. Are we, therefore, more fortunate than our "neighbors across the way?"

Here we have in one solid body, over four and a quarter million

acres of our richest section of land (lying immediately upon the river with 340 miles of front), to be protected from the greatest force of the annual visitation of flood waters.

I claim that it receives the greatest force of the flood, for the Arkansas and White rivers debouching just below Helena, hold in check or back the waters up against the outflow of the greater tributaries above (at the time of floods) and these descending high-waters meeting with this obstruction in its flow at this point and a more formidable resistance at Helena in the shape of Crowley's ridge, have a tendency to seek an outlet on the opposite shore at Montezuma bend or the Yazoo Pass and it is there that our levees should be strongest and greater precaution taken to protect our weakest point. The ridge at Helena, abutting against the river, is composed of strata of hard clay overlying a bed of limestone for a foundation. It offers a solid resistance, while the opposite shore is sand and gravel for a great depth, with very thin strata of clay, a yielding material.

Now the valley of the Mississippi river at that point (Helena, La.) is but 27 miles wide, practically a gorge, and on account of the deflection which the flood-waters receive when striking Crowley's ridge, the strength of the current is thrown against the opposite shore at about the mouth of Yazoo Pass, and if allowed to have its own way the natural course of the river would be down the Yazoo river where it undoubtedly flowed at one time, between the narrow ridge and the high lands.

Again, at this narrow point of the valley (Helena) the St. Francis basin, 6,706 square miles in area, empties its waters just above, while the Ohio and upper Mississippi at Cairo, 300 miles above, swell the volume of water to such a degree that at this point of concentration (Helena) the discharge is greatest, being 1,848,000 cubic feet per second and the oscillation, or difference between high and low water, over 50 feet.[5] In former years, the St. Francis basin (upper and lower) has been open and acted as a great reservoir to receive the flood waters from above, whereby a large volume of the flood was dissipated before it reached our shores. With the closing of the St. Francis basin, however, it re-

[5] April 4th, 1897, the gauge reading at Helena was 51.75 (highest); November 8-9th, 1895, the gauge reading was minus 3.00 (lowest). *Report of Mississippi River Commission* for 1901.

mains to be seen what the effect will be upon our levees on the east bank of the river for a distance of 500 miles, and more particularly upon the first 300 miles bordering the Yazoo valley and the weak point opposite (Helena).

In the *Report of the Mississippi River Commission* for the year ending June 30, 1897, may be found the following comment by its illustrious president, now the chief of engineers of the U. S. army. After one of the most disastrous floods the Mississippi valley has ever known, after the highest water ever known, after 38 crevasses had occurred, inundating 10,667 square miles or 6,826,880 acres of rich bottom lands, including the entire area of the lower Yazoo levee district, *protected* by levees,—the conclusion reached by the President of the Mississippi River Commission is as follows:

> "The important fact that the flood waters of the Mississippi river may be permanently controlled by a system of levees that can be constructed within a limit of expense warranted by the advantages to be gained, seems to have been fairly demonstrated by the flood of 1897."

"Experience is a great teacher" and after years of experience and experimenting with the Mississippi river, we *may* find out how to control its flood waters or we may find that they will not be controlled.

I have stated above that the flood of 1897 was the highest known to the Mississippi valley. At Vicksburg, the gauge reached 52.50 feet on April 16th, which is 13.50 feet higher than that of the preceding year and 21 feet higher than 1895. At that date (April 16th) the famous "Biggs" crevasse (just below Vicksburg on the Louisiana side) occurred, *relieving* the situation.

At Helena, Ark., "the maximum stage reached was on April 4th, when the gauge read 51.80 or 3.7 above the highest recorded water, viz: that of 1886. The water was then rising at the rate of 0.3 feet per twenty-four hours, but the three breaks in the levees, which occurred on that date,—two just below Helena and one about 8 miles above and on the opposite side of the river—*quickly brought relief*, and the water started downward."[6]

At Cairo, the river reached a stage of 51.6 feet. At Memphis, it was 2.2 feet higher than the high water of 1890. At Natchez,

[6] *Report of Mississippi River Commission*, 1897.

the gauge reached 49.8 on April 28th and at Red river it attained a height of 50.20 on May 14th.

Thus it will be seen that as the years have advanced, so have the high waters of the Mississippi river, each successive flood being higher than the preceding.

In 1882, the height of that year's flood, made the standard for the levees to be raised and all was thought to be safe against future overflows, but 1890 and 1891 demonstrated the fallacy of this idea and the levees were built still higher and broader and stronger. The supreme test came in 1897, with the results as above stated.

Since 1897 the engineers of the U. S. and State governments have gone to work in earnest to build levees which will withstand a greater flood than that of 1897. Thanks to Providence, a season of respite from serious floods has been granted, in which time has been allowed to build fortifications of earth-works along the banks of the formidable stream from Cairo to the gulf and levees, with banquettes, with varying slopes, with muck trenches, with siepage drains, with increased crowns and bases, have been built to accommodate the theory or idea of the controlling engineer and from the primitive sand bank, filled with logs and stumps and trash, upon any foundation most convenient, we now have an embankment built with the utmost care, upon carefully selected foundations, with attention paid to material, with rigid inspection of contract work, with slopes assumed by earth and sand when covered with water, with muck trenches below and grass covered surfaces above, until it can be demonstrated by figures and on paper that no flood yet known or to be known, can break the impenetrable barriers along the heretofore disputed right of way of the "Father of Waters."

We must concede therefore that floods "have been a fruitful source of information" to those who have had control of the building of the levees and to the protection of our lands from inundation. They have furnished much useful data that were needed in the solution of the problems involved in the proper control of the high waters of the river. They have pointed out the weak places in the system of levees and the defects in the methods of their construction—*but,* with our past experience, we now await

with intense interest and bated breath, the results of the next flood soon due.

We have a complete history of the work of the Mississippi River Commission since its inauguration. Some of the ablest engineers, scientists, jurists and business men have been placed at its head and on its board and with such a problem as the Mississippi river to deal with, it is not to be supposed that it can be cured of all its eccentricities within a decade. The Mississippi River Commissioners evolved a theory which was right in principle from a scientific standpoint and they have stuck to it and if the resources are at hand, they intend to carry out that principle until they have gone beyond the "domain of theory" and have demonstrated by the work done that their theory is correct, or until they have to admit the incorrectness or inapplicability of the principles involved.

We know it to be a law of nature that if a stream of running water is confined to certain limits or the channel be contracted, the velocity of the current increases and with the increased velocity, a scour takes place which in ordinary cases deepens the channel This is the theory upon which the system of parallel straight jetties is based and which system has been adhered to for half a century by the U. S. government engineers in the face of the fact that the results, after the expenditure of millions of dollars, have been *nil*. The jetties have been built at great cost and expensive dredges have done the rest. The expected scour has not taken place and to get results the continual dredging at an additional expense must go on as long as the appropriation lasts. Some jetties have been placed 7,000 feet apart and others at varying distances with generally the same report "no result."

Now to confine the waters of the Mississippi river to a single channel means years and years of labor, an expenditure of fifty millions of dollars or more for levees alone, the closing of all the basins, with the fact that there still remains the insolved problem of unstable banks, which cannot be held without the enormous expenditure of two hundred millions of dollars.

Acres and acres of rich valuable lands are carried off into the river annually and this increased sediment must be taken care of or carried by the force of the current to be deposited into the sea

hundreds of miles distant. With the innumerable curves and bends of the river and the friction along the wetted perimeter, with varying widths and ununiform depths, the forces to be overcome by the current are too great and as a result shoaling takes place rather than the imagined or long sought and much to be desired scour. Now there is such a thing as too much contraction of a channel—"over contraction may check the currents so as to cause extensive deposits throughout the length of the channel"—and there is just as much danger of levees or jetties too far apart as from those which are too close together.

The average shoaling for the past two decades has been three or four feet and the bed of the Mississippi river has risen, causing an elevation of the flood plane with its consequent danger of crevasses. The plan therefore does not seem to warrant any results, owing to the want of any uniformity in the widths between banks or levees, to the constantly increasing sedimentary deposits from caving banks and numerous tributaries, to the varying discharges from these tributaries and to the irregularity in the velocity of the current which cannot be controlled. Any loss in velocity will inevitably create deposits, dam up the channel and produce greater obstructions.

The water being charged with sediment will deposit it on all portions of the bed of the river, while the larger portion will work down the slopes toward the bottom of the channel where the deposit will be greatest—a middle ground will be formed as always happens in such cases and the channel will be divided and shallow.

The sediment carried by the "southwest" pass into the gulf, has been estimated to be 102 millions of cubic yards a year.

At Carrollton, La., the total discharge of solid matter during a single year is 887,506 millions of pounds, or one square mile of solid matter 268 feet deep.[7]

Different Systems.

Several theories for the solution of the Mississippi river problem have from time to time been advanced by eminent civil engineers and other men who have made a practical study of the river for years—among those most generally known are the "Outlet" system, the "Waste-wier" system and the "Reservoir" system. The

[7] Ockerson's *St. Louis to the Sea.*

outlet theory has many strong advocates, but as the solution of the problem has been in the hands of men diametrically opposed to such a theory, no attempt has been made to introduce it. Large and powerful dredges have been built by the Mississippi River Commission and used in deepening and widening the channels where excessive shoaling has taken place; these dredges have, of course, proven successful as it was only a matter of excavating so much sand in a given time and an improvement of the channel for navigation at some particular point has resulted without in any way affecting the general problem of channel improvement by the action of the currents. As to what will be the final solution of the problem, we have to conjecture at this time, but in this age of scientific advancement and discovery, there seems to be room for enlightenment on the subject and men of national reputation and known ability should be given recognition if their theories are at all within the limits of practicability,—particularly so if the present plan should prove inadequate. An able and experienced railroad president has said:

"The way to control the Mississippi river is to find out what it wants to do naturally, conform the plans thereto, and get what profit you can out of the force inherent to the flow."

Physicians tell us that "we must assist nature, not try to force it."

We have seen the "parallel straight jetty" system tried for 50 years and it has proven a failure. The course of the Mississippi river is not straight,—it is made up of a series of alternate curves or bends, the average curvature being about 26 degrees per mile, from Cairo to New Orleans and I have described, at the beginning of this paper, the way in which the "straight reaches" are naturally formed into bends; it seems therefore that what the river "wants to do naturally" is to assume a serpentine, or S, shape—then why not let it do so and use curved jetties in place of parallel straight jetties. Where a bend forms in a river, the deepest water or natural channel is invariably found on the *concave* side, the convex side being either a sand-bar or gradually sloping bank with shallow water; therefore, we have to deal with but one side in improving the channel (the concave side) thereby lessening the expense about one-half, protecting that side or "holding

the bank" and giving nature a chance to do the rest. This is known as the "one jetty system" or Haupt system.[8]

By the one jetty or curved jetty system, nature is left to do her own work by removing the silt from the concave to the convex side—therefore the space is neither too wide nor too narrow, but is exactly adapted to the requirements of the current and consequently there is no restriction of the movements to the sea.

A single curved jetty, on one side of the stream, will train the outflow of the river to a single channel of ample capacity and will in time build a natural bank on the opposite side, automatically adjusted to the requirements of the stream—a reverse curve on the opposite bank in the next bend will serve to preserve the alignment, the channel swinging gently from side to side. A single straight jetty placed parallel to a running stream, cannot produce concentration, but if placed at an angle, it deflects the currents toward the opposite bank. If such deflecting jetties are made to curve more or less, a scouring action takes place continuous throughout their length and a deep water channel is formed similar to that found in every concave bend of a stream. With the formidable levees as now built and being built from Cairo to the gulf and with the channel trained by curved jetties on the concave side of the bends we should look for good results in the course of time. The strong levees protecting the land and inhabitants from inundation, the curved jetties deepening the channel naturally.

The Tributaries.

The tributaries of the lower Mississippi river may be divided into eight (8) great systems or basins, as follows:

The Missouri river, with an area drained of	518,000	sq. miles
" Upper Mississippi, with an area drained of	169,000	" "
" Ohio river, with an area drained of	214,000	" "
" Arkansas and White, with an area drained of	189,000	" "
" St. Francis river, with an area drained of	10,500	" "
" Red river, with an area drained of	97,000	" "
" Yazoo river, with an area drained of	13,850	" "
" Small tributaries, with an area drained of	28,688	" "
Total, ...	1,240,038	sq. miles

[8] Introduced a few years ago by Prof. Lewis M. Haupt, an eminent engineer of Philadelphia, Magellan Medalist and member of the Nicaraugua Canal Commission.

Exclusive of Red river, which is below the 31st degree of north latitude, the total area which is drained and has to be carried by the lower Mississippi between Vicksburg and the mouth of the Red river, is 1,143,038 square miles.

The annual drainage in million cubic feet, is estimated to be as follows:

Missouri river,	3,780,000	million	cubic	feet
Upper Mississippi,	3,300,000	"	"	"
Ohio,	5,000,000	"	"	"
Arkansas and White,	2,000,000	"	"	"
St. Francis,	990,000	"	"	"
Red,	1,880,000	"	"	"
Yazoo,	1,350,000	"	"	"
Small tributaries,	2,868,800	"	"	"
Total,	21,088,800	million	cubic	feet

The lengths of the different grand tributaries are as follows:

	Distance from Mouth to Source.	
Missouri river,	2,908	miles
Upper Mississippi,	1,330	"
Ohio,	1,276	"
Arkansas,	1,514	"
Red,	1,212	"
Lower Mississippi,	1,286	"

The combined lengths are:

Lower Mississippi and Missouri,	4,194	miles
Lower and upper Mississippi,	2,616	"
Gulf of Mexico to source of Ohio,	2,373	"
Gulf of Mexico to source of Arkansas,	2,209	"
Gulf of Mexico to source of Red,	1,520	"

We may take each one of these grand tributaries and subdivide it into smaller basins and still have most formidable streams.

The Ohio river, for instance, formed by the Allegheny and Monongahela rivers, the Wabash river, which covers the whole State of Indiana, the Tennessee, the Cumberland, the Kentucky, the Scioto, the Licking and Kanawha, are all great rivers in themselves and bringing past our doors, waters from the States of New York, Pennsylvania, Maryland and West Virginia, draining the western slopes of the Alleghany mountains as far south as Alabama, and fed themselves by rivers and innumerable tributaries.

Take the Missouri river, which rises in Montana and is formed by the Jefferson and Madison forks. It receives on its flow toward the southeast, such formidable streams as the Marias, the Yellowstone, the Milk, the Cheyenne, the Cannon Ball, the White, the Niobrara, the Platte, the Kansas and the Osage rivers; these rivers in their turn drain the eastern slopes of the Rocky mountains, from British Columbia down to Denver, Colorado, the States of Wyoming, North and South Dakota, Nebraska, Kansas and Missouri on the west and the States of North and South Dakota, Minnesota, Iowa, and Missouri on the east.

The upper Mississippi fed by innumerable lakes and springs in northern Minnesota and northern Wisconsin is a formidable stream before it receives its great tributaries in the Minnesota, the St. Croix, the Fox, the Chippewa, the Des Moines, and the Illinois. Last, but not least, the Arkansas river, rising in Colorado, 14 miles north of Leadville, brings down in its muddy channel, the more treacherous Canadian rivers, the Cimarron, the Wichita, the White and others, draining portions of Colorado, New Mexico, Kansas, Texas, Oklahoma and Indian Territories and Arkansas. Any one of these great tributaries alone, might discharge enough water to overflow the lower Mississippi valley to such a depth that the inhabitants would think the five great lakes had come to visit them,—but fortunately for us such an occurrence is never probable. A combination of any two of the great tributaries, such as the Ohio and upper Mississippi, or the Ohio and Arkansas, or the Missouri and upper Mississippi, discharging naturally, can give us as great a flood as we should care to see—while a combination of any three would raise the surface above the high water mark. We are therefore subject to an annual overflow or great flood and it is only an accident or mystery that we escape being "drowned out" each year. Let us see how nature has provided for us so that we escape these destructive floods.

Floods and their Causes.

We have seen that the area drained by the lower Mississippi covers some 28 States of the Union, and that it extends from the 35th to the 50th parallels of latitude and from the 79th to the 114th meridians of longitude. Over such a vast area of territory there must naturally be a great variation climatic conditions, of

topographical features, of soils, of seasons, of temperature, of winds and storms and of rainfall and snow.

The average annual rainfall of the United States varies greatly according to the latitude and longitude of the State. In the eastern States or slope of the Alleghanys it is greatest, while in the western or Rocky mountain slope it is, fortunately for us, smallest. We are therefore nearest the region of greatest rainfall and consequently receive the freshets from the Alleghany slope first. We receive the freshets from the Rockies much later, owing to the greater distance, to the smaller amount of rainfall, to the lateness of the season of melting snows and to the great absorption of the water by the peculiar nature of the soil which is characteristic of the western country.

There is, however, an intermediate country which lies directly north of the course of the lower Mississippi, and is covered largely by the upper Mississippi and again a southwesterly region, covered by the Arkansas and its tributaries, so that we may divide the floods or freshets into four great classes which follow each other with some degree of regularity. We may place them in the following order: 1st. The Ohio region; 2nd. the Arkansas region; 3rd. the upper Missisippi region, and 4th. the Missouri region. The average annual rainfall of the Ohio region, is from 40 to 50 inches, though as much as 60 inches falls in the region around Chattanooga, drained by the Tennessee river and its tributatries.

For the upper Mississippi region we have from 30 to 40 inches of annual rainfall. The Arkansas region varies from 30 to 50 in its eastern portion and from 15 to 20 in its western portion, while the rainfall of the Missouri region is but 15 and 20 inches. The earliest floods proceed therefore from the Ohio, on account of the heavier rainfall and the snows melted by the early rains. They are greatest in February and March.

The more southerly latitude of the Arkansas together with its heavy rainfall in the eastern portion sends forth its freshets in March and April. The upper Mississippi has its greatest discharge in April and May while we often hear of the "June rise" in the Missouri, but which often occurs and with much regularity in the latter part of May. The Missouri in fact has two seasons of high water one in April and one in May-June. Could we but

control the atmospheric conditions of these regions, we see how easy a matter it would be (assisted by nature, of course,) to get rid of the surplus or freshet water as it comes to us from the different regions and passed through our narrow channel, but nature has so distributed our tributaries that our canal is able through some seasons to handle or take care of the floods without serious inconvenience; the moment, however, there is any irregularity in the working of the great apparatus as nature intended it, then our troubles begin.

These freshets and great tributaries must work on schedule time to cause us no trouble, but if a late flood out of the Ohio meets an early rise out of the Arkansas or the upper Mississippi, we have a "bank full stage" of water or an overflow which can be aggravated by a second Arkansas or an early Missouri and we go under. Thus it can be seen how uncertain are these floods, with what ease they can occur and how at the mercy of the elements we are situated during the first six months of the year.

Our greatest season of danger is, of course, in March and April, as we are liable to freshets, during those months, from three different sources according as the season is advanced or retarded and although our largest basin and greatest tributary is found in the Missouri, yet we have very little to fear from that source owing to its remoteness, its lateness of season in getting started and its peculiar conditions of soil, altitude and climate.

It takes therefore, generally, a combination of floods to produce "an overflow," or some particular disturbance in the regular discharge of the tributaries, whereby the working of the whole machinery of nature is thrown out of gear; then, in such cases, these great basins and multitude of tributaries know no law and our weak levees become as "chaff blown from the wheat" in offering resistance to this onward rush of mighty waters—one of the greatest forces nature can produce.

The United States government, particularly in its Department of Meteorology, has of late years done much toward gathering statistics bearing upon rainfall, absorption, climatic conditions and disturbances, &c., in the different parts of the Union and such observations go a great way toward an intelligent understanding of the subject of freshets and floods.

Conclusion.

Efforts to confine this mighty stream to its channel, to improve its navigation and protect its borders from overflow, have occupied the attention of civil and military engineers, scientists, congressmen and governments for many decades. The first levees constructed on the banks of the Mississippi river, were by French engineers, in 1717 and following, they being but small affairs a few feet in height which seemed to answer the purpose of protecting the inhabitants from inundation above, below and in the city of New Orleans at that time. According to Monette, in 1752 the inhabitants living along the banks of the river for a distance of 20 miles below New Orleans and 30 miles above, "were securely protected from floods."

In 1803, there was a large settlement on the west bank of the Mississippi river in the vicinity of Baton Rouge and smaller settlements at Concordia, opposite Natchez and at the mouth of the Arkansas. As the settlements increased however and extended along the banks of the river, the inhabitants were compelled to construct levees for their protection, as disastrous floods demonstrated the necessity of this and also showed the inadequacy of the channel to carry off the surplus waters from above. Disastrous floods ocurred during the years 1809, 1815, 1823, 1828 and 1844 and at that date a continuous line of levees extended from New Orleans to Napoleon, along the west bank, with a few isolated levees along the lower part of the Yazoo front. A number of crevasses occurred during these floods. In 1850, the Federal government approved an act, granting to the several States all swamp and overflowed lands, within their limits, remaining unsold, in order to provide a fund to reclaim the districts liable to inundation. A great impetus was thus given to the work of reclaiming the alluvial region below the mouth of the Ohio.

Great floods again occurred in the years 1849-1851, 1858 and 1859, the flood of 1859 being the highest and causing great destruction to property. Early investigations and studies of the Mississippi river and its characteristics were made by French engineers, followed by William Dunbar, Charles Ellet, Caleb G. Forshey, Andrew Brown, Humphreys and Abbot, James B. Eads

and others, but with the exception of Humphrey's and Abbot's great work on the "Physics and Hydraulics of the Mississippi river," the literature on the subject is rare and almost inaccessible.

Coming down to the present period, we find investigations being made by the United States government engineers, in 1861. "For the proper and absolute protection of the alluvial lands along the Mississippi river, from Cairo to the gulf." These engineers estimated that the cost of such protection would be about seventeen millions ($17,000,000) of dollars and they estimated the value of the then existing levees at about $9,000,000—although a much greater sum had, at that time, been expended by private parties and by the Louisiana State government on levees. An expenditure of over $50,000,000 has since been made on levees, the levees are still incomplete and the work of enlarging, raising and strengthening them and of closing the basins must go on as long as the floods overtop the present levees or crevasses occur.

The flood years since 1859 are as follows: 1862, (but no authentic record) 1874, 1880, 1881 and 1882; 1890, 1891, 1892, 1893, 1897 and 1899. The statistics gathered, compiled and published by the Mississippi River Commission since its organization, form an invaluable record and interesting study for the scientist and hydraulic engineer and it is to be hoped that the theory upon which the work of protection and improvement is now being prosecuted, will finally prove successful and result in complete protection to the sufferers of the Mississippi valley who have looked for so many long years in vain for deliverance from the visitations of the flood waters of the Mississippi.

President Jefferson purchased the great river from France in 1803. The possession of this great commercial highway was the key to the development of the great western and southern States. It forms a great boundary line between the States of the east and those of the west and commercially gives an entrance to the very heart of the United States. In case of war with a foreign nation, the possession of this great natural highway, so poorly defended, would be the object sought for by the enemy, to gain control of which, would give him a line of communication for operations against the east and west.

"During the Civil War both sides strove incessantly for two years and three months after the fall of Fort Sumter, the one to gain, the other to hold the control of the great river. After the contest was finally decided at Vicksburg and Port Hudson, in July, 1863, the Western armies were free to concentrate and move to the interior without fear of exposing their flank and rear."[2]

The question of protecting and improving this great highway is a national one and should receive greater attention from the Congress than it does. Its importance from a commercial standpoint cannot be estimated; its defence against foreign powers should have consideration while the northern country is preparing her coast defences; its neglected mouth should be opened by curved jetties which would make its navigable channel self-sustaining and do away with "mud lumps" and dredging; its navigable depth from the gulf to St. Louis should be improved and maintained and its inhabitants, living along its shores, should be relieved permanently from the ever annoying crevasses, from the frequent inundations of its fertile lands and from the wide spread destruction of life and property which occurs whenever a combination of the disturbances in the natural discharge of its tributaries takes place and pours forth upon us floods against which no fortified embankments can stand.

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[2] Gen. Francis V. Greene's *The Mississippi.*

ORIGIN OF THE PACIFIC RAILROADS, AND ESPECIALLY OF THE SOUTHERN PACIFIC.

By Edward Mayes.[1]

As this paper is for the Mississippi Historical Society, it is considered appropriate to discuss the subject announced with especial reference to the Southern interest therein, including, of course, that of our own State.

From a period almost coeval with the first settlement of this continent a practicable route between the Atlantic and the Pacific oceans, either over the peninsula or through the continent, has received more or less of consideration, and has been more or less actively sought. The Pacific railroads of our day are modern developments of that great commercial want; and in the earlier stages of the agitation for them the trade of China, Japan, the Sandwich Islands, and other eastern countries, and the carriage of freights between Asia and Europe, were the favorite arguments of their advocates—although, as it turned out, the first practical results were produced by other considerations.

The purchase of the Province of Louisiana from France in 1803 gave to the United States a vast extension westward and a

[1] Edward Mayes was born in Hinds county, Miss., December 15, 1846. He is the youngest son of Daniel and Elizabeth (Rigg) Mayes. His father, a native of Virginia, grew to manhood in Kentucky, where he served on the circuit bench and filled the chair of law in Transylvania University. In 1839 he entered upon the active practice of law at Jackson, Miss.

At the outbreak of the War between the States the subject of this sketch was a student at Bethany College, Virginia, now West Virginia. With the beginning of hostilities he returned to his home at Jackson, Miss. In April, 1864, he joined the Confederate army as a private in Company K, Fourth Mississippi cavalry, and served until the end of the war. In 1868 he was graduated with the degree of B. A. at the University of Mississippi. The year following he received the degree of B. L. from the same institution. In 1869, he was married to Miss Frances Eliza Lamar, daughter of the late Justice L. Q. C. Lamar, and granddaughter of Dr. A. B. Longstreet. In 1877, he was elected to the chair of law in the University of Mississippi, which position he filled until 1892. He served as chairman of the faculty of the University of Mississippi from 1886-'9 and as chancellor of the same institution from 1889-'92, when he voluntarily resigned to enter upon the practice of law at Jackson, Miss. When chancellor of the University, Dr. Mayes, in a controversy with Sen. J. Z.

Pacific coast coincident with that of the present States of Washington and Oregon, embarrassed, however, by an adverse but ill-defined claim on the part of England. Few even dreamed of the great importance into which that domain would presently arise; but President Jefferson immediately instituted (in the years 1803-1804) the celebrated expedition of Lewis and Clarke across the Rocky Mountains, to trace some stream to the Pacific which, with the upper Missouri, might afford a direct and navigable water communication across the continent. So early as 1817 Thomas H. Benton, then resident in St. Louis, in a series of written addresses remarkable for ardor, eloquence and sagacity, was engaged in giving consistency and method to the faint and hazy conception of an overland route between the Missouri and the Columbia rivers.

In the course of a trading expedition to the far West, Gen. William H. Ashley, of St. Louis, discovered, in 1823, the famous South Pass, where the head springs of the South Platte, the Yellowstone, and the Columbia show their tiny threads—constituting the great "divide" between the Atlantic and the Pacific waters of the continent. Nineteen years later, John C. Freemont, then a Lieutenant of Engineers, under the auspices of the War Department, made a partial exploration of the Rocky Mountain region, and made the South Pass more fully and certainly known. His report, dated "Washington, March 1, 1843," was the first

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George, defended the Endowment Act of 1880, "by which the State recognized its indebtedness to the University and provided for the appropriation of the annual interest upon the debt." As a member of the Mississippi Constitutional Convention of 1890 he served as chairman of the Committee on Bill of Rights and General Provisions. In 1900 he was chosen a presidential elector on the Democratic ticket. Since his resignation as chancellor of the University of Mississippi Dr. Mayes has been employed as District Attorney for the Illinois Central Railroad and has taken a leading part in several of the most important cases in the legal history of the State. From 1895 he has been professor of law in Millsaps College, at Jackson, Miss., and is Dean of the law faculty. He was a delegate to the Methodist Ecumenical Conferences of 1891 and 1901. He was a charter member and the first president of the Mississippi Historical Society. Dr. Mayes has made the following valuable contributions to Mississippi history and biography: *Life, Time and Speeches of L. Q. C. Lamar* (1895); *History of Education in Mississippi* (1900); "Glances at the Fountains of Our Land Titles" (1887), *Mississippi Bar Association Minutes* (1887); "The Administration of Estates in Mississippi" (Ibid., 1891). More detailed sketches of Dr. Mayes's life will be found in Goodspeed's *Biographical and Historical Memoirs of Mississippi*, Vol. III., p. 423; *Who's Who in America* (1901-'2); *University of Mississippi Magazine*, April, 1902.

satisfactory demonstration of the easy practicability of that remarkable and historic overland route. To Freemont is also due the credit of removing the very erroneous ideas which had previously prevailed in regard to the country west of the Rocky Mountains—a country which it was customary to denounce as a hopeless, sterile waste, constituting the "Great American Desert" of the early geographies, where the arts of civilized man could never prevail.

In 1827 Simon Bolivar, President of the Republic of Colombia, contemplated a possible railroad across the Isthmus of Panama. Except this project, which was a much more obvious and quite a different affair, it is not likely that any one man could justly have claimed the original conception of a railroad to the Pacific. Previous to the year 1843, all was vague speculation on this subject. We had neither ports nor population on the Pacific coast. The idea, when it came, was the natural and inevitable sequence to the successful application of steam to locomotion; and, though at first by no means general, it was for a long time as common to silent speculation of the intelligent as was the notion of applying the new agent to the water-ways.

In 1845, however, the matter seems to have received a new impetus, and the vague speculations to have taken something of definite shape. Mr. Asa Whitney, a New York merchant, proposed to the Twenty-eighth Congress, at the session of 1844-5, to build the road by contract. He required a grant of public lands comprising 92,160,000 acres, stretching from the lower point of Lake Michigan, in Illinois, sixty miles wide, to the Pacific Ocean. With the proceeds of this immense grant he proposed to build the road over that route, through the South Pass, with the privilege of retaining for himself and his associates any part of the grant which should remain unconsumed by the work. He offered, during the first twenty years after completion, to carry the public mails, troops and munitions of war, free of charge, upon certain conditions as to the rates of tolls to be taken from the general public. Although Mr. Whitney was, in some quarters, unjustly criticised for his "grasping scheme," and although personal success never rewarded him, too much praise can hardly be given to him for the far-sighted sagacity of his conception,

and the years of labor which he devoted to it. The House Committee on Roads and Canals, through Hon. Robert Dale Owen, its chairman, reported, in substance, that it had not had time in which to make the extensive investigations demanded by the measure, since it had been reported to the committee only a few days before the close of the session; that the plan was important and should not be acted on too hastily, nor yet deferred too long; that it was pregnant with grave political consequences as well as important commercial results; and explained the fact that it was seeking a distant territory claimed by the United States, but not yet fully occupied by them.

Mr. Whitney's movement seems to have called out Mr. Hartwell Carver, of St. Louis, who claimed the inception of the idea of a Pacific railroad as early as the year 1836, while Mr. Whitney dated his thought back only to the year 1842. Mr. Carver asked Congress for an exclusive and perpetual charter for both a railroad and a telegraph line from Lake Michigan to the South Pass, with branches from that point, through California to San Francisco, and through Oregon to the mouth of the Columbia. He wanted a right of way in fee, with quarry, mining, and timber privileges; also 8,000,000 acres of the public lands within thirty miles of the track, to be paid for at $1.25 per acre in stock of the road.[2]

The project of Mr. Whitney may have suggested, it certainly was closely followed by, a rival movement in the South. To understand exactly the nature of this movement, it is necessary to recur briefly to the earlier commercial and industrial history of that section.

A most striking feature of the domestic history of the United States is the contrast between the pristine thrift and vigor of their Southern parts as compared with the Northern, on the one hand, and their subsequent relative decadence, on the other. Prior to the Revolution, during the earlier history of the Union, and even so late as the period of the war of 1812-15, the Southern colonies, or States, flourished mightily. Their seaboard cities grew, and maintained a foreign commerce which was regarded in those days as something prodigious. When the Constitution of the United

[2] DeBow's *Review*, Vol. IV., p. 553; *Ib.*, Vol. VII., pp. 1, 4; Breese's *Report to 29th Congress;* Geo. Wilkes' pamph. of 1847; Hall's Chicago speech.

States was adopted, the population of the two sections was practically equal; that of the South, however, including about one-fourth slaves. The respective territories were nearly equal in extent and fertility, with the climatic advantage with the South. Their commerce was about the same; the North exporting in 1790 about $9,800,000, and the South about $9,200,000. According to an assessment for direct taxation in 1799, even their properties were almost exactly the same, being in each instance about $400,000,000. Up to the year 1816, the South even took the lead of the North in commerce, as at that period her exports amounted to about thirty millions, while those of the North were only about twenty-five millions. New York and South Carolina were then the two greatest exporting States of the Union, the latter exporting over $10,000,000, and the former over $14,000,000. An average of the census of 1810 and that of 1820 shows that the property of the South amounted to $312 per capita of whites, while that of the North was only $240. Even in manufactures, proportionably to its white population, the South had equaled, if it had not surpassed the North; for in 1810 the fabrics of wool, cotton, and linen in the latter were $21,061,525 as against 15,771,-724 in the former.

A great change then occurred. In 1816 the system of direct taxation for Federal revenue was finally abandoned; and the whole interest of the public debt (largely increased by the late war) as well as the increasing expenditures of the government, were imposed, by the tariff laws, on the foreign commerce of the country, except the small income from sales of public lands. The principal articles of export, in exchange for which foreign goods were obtained, being cotton, tobacco and rice, it was claimed in the South that the new policy was a peculiar and unjust burden on the States that produced those staples. Moreover the Bank of the United States was established and located at the North. Its large deposits of government money, and the confidence reposed in it by the government, enabled it to maintain a large circulation which was naturally devoted to the promotion of Northern commerce, and was regarded in the South as adverse to Southern commercial rivalry. These measures were strenuously opposed by the states-rights party, and on their passage in Con-

gress John Randolph declared that a revolution in our government had occurred whose consequences no man could calculate.

In twenty years New Orleans was the only Southern city which pretended to rival its Northern competitors. The harbors of Norfolk, of Richmond, of Savannah, and of Charleston were almost deserted. Grass was growing in the streets of those cities of the South which had monopolized her colonial commerce and had maintained their ascendency during the earlier years of the Union. These distressing changes made a profound impression upon the reflecting people of the South. They repelled the explanation of them, offered from some quarters, that they were due to the malign influence of slavery, and pointed to the fact that slavery had existed during the period of prosperity no less than now; and the leading statesmen of the South ascribed the results observed to the adverse and discriminating policy of the Federal government.[3]

The Southern people, especially those of the seaboard, were, of course, anxious to restore their dwindling commerce. To this end, they cast about for means to root themselves more deeply in the national interests, and also to establish a large direct trade with foreign countries through their own sea-ports. They held frequent great commercial conventions, and they looked covetously to the then growing Northwest, pondering the ways and means by which to control, in a measure if not wholly, the trade and shipments of that great region. Counting largely upon their comparative nearness, they hoped to displace their northeastern rivals by opening quick and easy commercial routes. "The Atlantic and Mississippi Railroad," an imaginary trunkline, became a project of common and immense interest, although not definitely located. A favorite plan was the linking of the confluence of the Mississippi and Ohio rivers to the South-Atlantic coast. Charleston, especially, was anxious for connections with Memphis, Louisville, and Cincinnati.

As early as 1828 Mr. Stephen Elliott, of South Carolina, suggested in the old *Southern Quarterly Review* a route from the mouth of the Ohio, up the Tennessee River to Muscle Shoals, and thence a railroad to Augusta, three hundred and forty miles, with branches to Savannah and Charleston; and in 1831, by an able

[3] DeBow's *Review*, Vol. VII., p. 135, by Ellwood Fisher.

article in the same journal, he outlined a railroad from the seaboard to the Mississippi—which extensive application of steam locomotives was regarded, at the time, as visionary.[4]

Such was substantially the state of affairs in 1845, with what modification in the shape of larger ideas as to railroad possibilities fifteen eventful years would cause. In the early fall of that year, and some six or seven months after Mr. Whitney submitted his plan to Congress, whether inspired by that plan or not, Robert Patterson, Esq., editor of *The Concordia* (La.) *Intelligencer*, suggested, in general terms, through the columns of that paper, the scheme of a rival Southern Pacific Railroad, to run from Vidalia, La. (opposite to Natchez, Miss.), through Louisiana, Texas and Mexico, to Mazatlan, a Mexican Pacific port then much frequented by American shipping. Soon afterward Prof. Caleb G. Forshey, a civil engineer, of Vidalia, having elaborated the scheme, and fixed the eastern terminus at Charleston, addressed a public assembly in Natchez on the subject, in October. In the following month, November, 1845, a great commercial convention, embracing five hundred and eighty-three delegates representing sixteen southern and western States and one Territory, and presided over by Mr. Calhoun, of South Carolina, assembled in Memphis. Its object was to deliberate on, and suggest, measures in respect to the commercial interests of the West and South—railroads, canals, river navigation, etc. Amongst its resolutions were some urging upon the people, and recommending to the fostering care of certain States, and to that of Congress, railroads from the Valley of the Mississippi to the South Atlantic ports. No action was taken on any projected railway to the Pacific; but the matter was brought to their attention. Prof. Forshey presented a map of the route proposed, and made an address, showing the total run to be 1,770 miles, of which 400 were then completed and in operation (or nearly so). This railroad, he declared, would be another "Father of Rivers," or rather, an iron steam intersecting and blessing a region almost as great in extent as that blessed by the Mississippi; it would do away with the need for the long projected canal across the Isthmus of Florida; it would wrest from Cuba the keys to the Gulf; and it

[4] DeBow's *Review*, Vol. III., p. 144; *Ib.*, Vol. I., pp. 22, 31; *Ib.*, Vol. IV., p. 337.

would, by a trip of only sixty or seventy hours from Charleston, open the Pacific, thus giving quick communication with "our Oregon settlements or the Pacific squadron." Mr. Calhoun is reported as having said, not however of this plan especially so far as appears, that "In less than one generation the West will be engaged in deliberations to extend its connections with the Pacific, as it is now with the Atlantic, and that connection will be as intimate with the one as the other. In the end we will command the commerce of both, and this great valley become the center of the commerce of the world." The Memorial of this Convention to Congress declared that, although the roads then projected must find their present termini on the Gulf and the Mississippi, "they must and will advance with the onward population west, and find no *termini short of the Pacific.*"[5]

During the year 1845 Mr. George Wilkes, the New York journalist, published a History of Oregon in which he promulgated a plan for a National Pacific Railroad, to be constructed near the parallel of 42 degrees, by the general government, at an estimated cost of $38,000,000 for the 1,930 miles west of the Missouri; to be managed by a board of commissioners; to be free to all persons, native and foreign, with charges so regulated as only to pay for expenses and repairs. He submitted this scheme to the Twenty-ninth Congress in December, 1846; declaring that he had determined in 1844 to advance it publicly, and had written his history for that purpose. He denounced the schemes of Carver and Whitney, and all other forms of private adventure in that matter. He argued that the railroad would not be internal but national, and therefore free from constitutional objection. He deduced the power claimed from those clauses of the Constitution which empowered Congress to establish post offices and post-roads, to regulate commerce, and to provide for the general welfare.[6]

In the course of a long review of this proposal of Mr. Wilkes', these remarks were made by *The Royal Gazette,* of Fredericton, N. B., under date of January 28, 1846:

"Regarding the antagonistic project of a British National Railroad across *our* division of this continent, it is doubtful whether the time has not arrived when it may be too late to treat the language of the author of this

[5] DeBow's *Review,* Vol. I., p. 7, 23; *Ib.,* Vol. III., p. 483; *Ib.,* Vol. 7, p. 4; Calhoun's *Works,* Vol. V., p. 310.

[6] *Proposal for a National Railroad,* pamphlet of 1847, by Wilkes.

pamphlet as the mere extravagance of a visionary. If the United States be the first to effect a railroad communication from the Atlantic to the Pacific, but a short time would be necessary to enable them to inundate the Oregon with emigrants, and thus to wholly annihiliate British influence there."

In a report made by him as president of the South Carolina Railroad Company, Col. James Gadsden, in February, 1846, soon after adjournment of the Memphis Convention which he had attended, remarked:

"In connection with these Atlantic railroad communications with Vicksburg, Grand Gulf and Natchez; crossing the Mississippi at one or all of these points, roads are already projected, looking further to the west, which, uniting on a common trunk, in the rapid progress of southwestern expansion and emigration, will, in time, be made to course through the newly acquired territory of Texas, and by Mexican provinces to the terminus at Mazatlan, in the Bay of California, or taking a more northern direction by the valley of the Red and Arkansas rivers, may easily pass by the southern gorges in the Stony Mountains, and find, in the course of events, certain though slow, a more favored location in the imposing Bay of San Francisco on the Pacific."

Col. Gadsden published at the same time a map showing both of the routes suggested.[7]

In the meanwhile the annexation of Texas in 1845 led to the war with Mexico early in 1846. Quite a number of Americans had already penetrated to Upper California in the wake of the explorations of Freemont, drawn by his surveys and reports. When the war began the troops of the United States quickly invaded that region. On the 4th of July, at Sonora, a band of Americans under Captain Freemont declared the independence of California, and on the 9th the troops occupied San Francisco. The treaty of Gaudelupe Hidalgo, February 2, 1848, by which the war was terminated, acquired to the United States, not only the Mexican claim to Texas, but also the whole of New Mexico and Upper California. In the same month gold was discovered in California; and as the news of its discovery spread gold hunters flocked from all parts of the world.

A constitution was formed in the following year, and the territory was admitted into the Union as a State in 1850, while in 1852 its population had grown to more than 250,000.[8]

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[7] DeBow's *Review*, Vol. III., p. 485.
[8] Johnson's *Encyc.*, Titles, California and United States.

These stirring events, as they progressed, naturally increased interest in the Pacific railroads.

On the 30th of July, 1846, a committee of the Senate reported most favorably upon Mr. Whitney's project, with an accompanying bill, which provided, however, that the road should belong to the government until Mr. Whitney and his associates should pay for the lands to be granted at the rate of 16 cents per acre. This bill passed the Senate, but was not acted on by the House.

On the 5th of July, 1847, the Chicago River and Harbor Convention met. This meeting, at which "several thousand" delegates, as it was said, represented seventeen States, was an outcome of the Memphis Convention, and was designed as a sort of answer to it. Its principal object seems to have been to bring about a system of internal improvements, by national aid, upon western lakes and rivers, co-extensive with all the requirements of their rapidly increasing commerce. The essential principle of the Memphis Convention had been the idea of a strict construction of the constitution on this mooted point, while the Chicago Convention took the view of a liberal construction. It adopted a series of resolutions urging the Pacific railroad and recommending its construction by the general government, on the plan of George Wilkes.[9]

Numerous projects for inter-oceanic communication were now brought before the public for consideration. Of these most commonly and widely discussed, including those of older date, were:

1. Various Canals; especially those of Panama, Nicaraugua, Tehuantepec, and others of less merit suggested principally by Alexander von Humboldt.

2. The Panama Railroad, of which Mr. Wm. H. Aspinwall, of New York, was the chief promoter, and which was successfully completed in 1855. In the Congress of 1848-9 much discussion was had over an application of the promoters for aid from the United States, in the shape of a subsidy of $250,000 for ten years in consideration of carriage of mail, troops and government stores. The proposition was favored by Webster, Benton, Douglass and others, and opposed by Davis and Foote, of Mississippi, and others.

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[9] DeBow, Vol. IV., p. 122; *Ib.*, Vol. XII., p. 445; *Proposal for a National Railroad*, Wilkes' Pamph., 1847.

3. The Tehuantepec Railroad, projected by Mr. Hargous, of New York, who had a grant for fifty years from Mexico, with very favorable terms, as an inducement to build the road, and who was also an applicant to Congress for aid, in rivalry to the Panama proposition.

4. The Tampico and Mazatlan Railroad (suggested in November, 1846, by E. H. Derby, through the *Railroad Journal*), crossing Mexico between those two ports; a scheme which apparently received but little attention.

5. The Vera Cruz and Acapulco Railroad, of Mexican conception, also crossing Mexico between the points named, through the City of Mexico, 522 miles in length.

6. The Natchez and Mazatlan Railroad, suggested, as stated already, by Mr. Patterson, and urged by Prof. Forshey. DeBow's *Review* endorsed this route in preference to any other through Mexican territory.

7. The Galveston and San Diego Railroad, proposed by a public meeting in Texas and advocated by Gen. Sam Houston, then United States Senator. Its proposed route estimated from 1,200 to 1,400 miles, was from Galveston Bay, northwest, to the thirty-second parallel, thence westward, crossing the Rio Grande above El Paso; thence along the Gila valley to the Colorado, etc.; thus following, in its western course, the line from El Paso suggested in 1846 by Mr. Calhoun as a proper one within which to conduct the military operations against Mexico. This course seems to have been merely a variant of one suggested in Washington in June, 1847,—from the Mississippi river to El Paso, and thence westward down the Gila, etc. This route being almost exactly the one now in existence.

Grave objections were found to all of these roads. They were either wholly or in part without the United States, and consequently beyond their control; they would probably become prolific sources of war; the fleets needed to protect their posts would involve heavy national expense; the trip over them would be interrupted by changes from land to sea, etc. Mr. Benton, in the debate on the Panama Railroad acknowledged the force of some of these objections, and said that he regarded such routes as only temporary—that he had in mind another project which would be

free from them, and be permanent. Aside from this consideration, still a further objection was the want of an eastern terminus central as to the people of the United States.

8. The St. Louis and San Francisco Railroad, planned to go through some pass, to be discovered, south of the South Pass, and near the sources of the Arkansas river. This was Mr. Benton's plan, in furtherance of which he introduced a bill at the session of Congress in 1848-9, requiring the construction of the road by the government with the proceeds of land sales, with a reservation of one mile in width from the Missouri frontier to San Francisco for the use of this road and other roads, with a branch to the Columbia river and a similar reservation one thousand feet wide—the road to be constructed under the direction of the President, and, when completed, to be let out by contract. He said, in his speech:

"Three thousand miles across, and half that breadth, is the magnificent parallelogram of our domain. We can run a national central road, through and through, the whole distance under our flag and under our laws. Military reasons require us to make it; for troops and munitions must go there. Political reasons require us to make it; it will be a chain of union between the Atlantic and Mississippi States. Commercial reasons demand it from us; and here I touch a boundless field, dazzling and bewildering the imagination from its vastness and importance. The trade of the Pacific Ocean, of the western coast of North America, and of eastern Asia, will all take its track; and not only for ourselves, but for posterity."

9. Whitney's Railroad, already mentioned—now defined as beginning at Lake Michigan, striking the Mississippi 650 miles above St. Louis, at Prairie du Chien, and thence near the 42nd parallel to the South Pass, down the Columbia valley to the mouth of that river or to Puget's Sound, with a branch to San Francisco. Mr. Whitney was pushing his enterprise with great energy. He had visited Europe in its interest, and nearly every State of the Union. Eighteen Legislatures adopted resolutions favoring his cause, and select committees of both Houses of Congress had unanimously reported in his favor. DeBow's *Review* for July and October, 1847, and for July, 1849, contains some interesting skirmishing between Messrs. Forshey, Whitney and DeBow about the relative merits of his route and that from Natchez to Mazatlan, in which the snows, the altitudes, the distances and the cost, are all debated.

10. The Memphis Railroad, advocated by citizens of Tennessee and Arkansas, and most warmly by DeBow's *Review,* in elaborate

editorials. This road was planned to run from a point opposite Memphis, to the Arkansas river, and up its valley and that of the Canadian to Santa Fe; thence, either down the Rio Grande to the 34th parallel and down the valley of the Gila to San Diego, or else westward along the neighborhood of the 35th parallel to Monterey and San Francisco—the latter course giving that of the Atlantic and Pacific Railroad of later days. This route was pressed because of its proximity to the central line of the continent, because it was the most direct and shortest, and its eastern terminus at Memphis was the point in the Mississippi valley where the cities of the lakes, the Atlantic and the Gulf could most readily, and soon would, connect with the trunk by the shortest and most direct branches.[10]

In March, 1848, the State of Texas made a definite and positive movement. Its Legislature, by resolution, granted to the Congress of the United States alternate sections of land in a belt twenty miles wide, if the government would construct a railroad to the Pacific across Texan territory. The grant was not availed of, and expired by its own limitation in three years.[11]

On the 12th of March, 1849, the State of Missouri also moved. A right of way was tendered to the United States for any national Pacific Railroad which it should build through the State; and also the Pacific Railroad was incorporated, with a route from St. Louis to the western boundary of the State and looking ultimately to the ocean, with power to cities and counties to take stocks. The State seems to have been much in earnest—giving to the Pacific road, by October, 1854, no less than $2,805,000.[12]

In October, 1849, two great railroad conventions met. One at St. Louis, Senator Douglas, President; which resolved that it was the duty of the general government to provide, at an early period, for the construction of a central grand trunk national railroad from the Pacific to the Mississippi, with branches to St. Louis, Memphis and Chicago; but recommending a route which departed from Mr. Benton's project, by going through the South Pass. The other convention met in Memphis; and delegations

[10] DeBow, Vol. VII., pp. 1, 37, 410; Vol. III., p. 495, note; *Memorial of Committee of Little Rock Convention*, pamph., 1852.

[11] DeBow, Vol. XII., p. 445.

[12] Missouri Session Laws of 1849, pp. 116, 219; DeBow, Vol. XVII., p. 465.

were present from New York, Pennsylvania, Virginia, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Missouri, Kentucky, Illinois and Ohio. Its President was the able and distinguished M. F. Maury, of Virginia. This convention made the first authoritative recommendation of the Southern Pacific Railroad. Its principal resolutions were, in substance, that it was the duty of the general government to provide, at an early period, for the construction of a national railroad from the Mississippi to the Pacific, and the branches needed to make it generally useful; that the public lands constituted a legitimate and proper fund for that purpose; that in making the location, "*that* route should be selected which is easiest of access, best calculated to subserve the purposes of national defense, most convenient to the people of, and (as far as practicable) central to, the United States;" that the particular attention of the government was invited, for examination, to "the route commencing at San Diego on the Pacific Ocean, crossing the Colorado of the West, running along the Gila river, or near it, in a direction to the Paso del Norte, and thence across the State of Texas to its northeastern boundary, between 32 and 33 of north latitude, terminating at some point on the Mississippi between the mouth of the Ohio river and the mouth of Red river;" and that, as a temporary expedient, that annual contracts be made by the government for transportation of mail, troops and stores by railroads or canals across the isthmus at Panama, Nicaraugua or Tehuantepec, to be constructed by private enterprise. The convention appointed a special committee, to prepare a memorial to Congress and an address to the people upon these important matters; J. D. B. DeBow, Chairman. This address appeared in DeBow's *Review* for March, 1850. It is an able and full presentation of the argument for the road, and, amongst other points, lays emphasis upon the need of it to serve as a cohesive influence, to bind together by quick and frequent communication, the peoples of the Pacific slope, as they should multiply and acquire important and variant interests, and those of the original Union—to avoid, in other words, the danger of disruption, growing out of remoteness from, and strangeness to, the central government.[13]

The idea of a Southern Pacific Railroad had thus become firmly

[13] DeBow, Vol. VII., p. 551; *Ib.*, Vol. VIII., pp. 217-232.

fixed in the mind of the public. It seems to have been pretty widely understood that the topographical corps of the government were favorable to the more southern route. As to the general notion of a railroad to the Pacific, Lieut. Maury, a little later, said, "The whole country is satisfied upon that point and the friends of the measure are every where. You have but to sound the steam whistle for this road in any corner, the most remote of that great valley where your home is, and friends to it, like Roderick Dhu's men, rise up from every bush and brake." Congress, too, made an appropriation for a survey of the routes; and, after a time, that survey seems to have been pushed with a good deal of energy, by Mr. Davis, when he came to be Secretary of War in 1853, over four different routes, being substantially the three already mentioned, and also one, still further north, from St. Paul up to and along the 49th parallel. In 1850, moreover, a very important indirect step was taken, in the granting by Congress, after a protracted discussion, but with the ardent support of some of the most earnest advocates of strict construction on the general subject of internal improvements by government—of 2,600,000 acres of the public domain to the State of Illinois in aid of the construction of the Illinois Central Railroad, and a like grant of 1,200,000 acres in aid of the Mobile and Ohio; being the first grants made in furtherance of railroad enterprises.[14]

It will be perceived that, speaking generally, there were even then three distinct projects about the Pacific Railroad—the Northern, the Central, and the Southern; but those projects at first took the shape of a controversy over the best location of the one road, and, until later, no one seems to have contemplated the possibility of three. In the debate over the Panama Railroad in 1849, however, Senator Underwood said, "I want to make a railroad—one or two, if you please—across the valley of the Mississippi to the Pacific; but I want it in our own country if I can get it." The St. Louis Convention of that year is said to have transmitted to the Memphis Convention a proposition for three roads, one each from Chicago, St. Louis and Memphis. In the year 1851 Mr. Whitney had determined to have his bill, still before Congress, so amended, if it were reached for consideration, as to authorize the building,

[14] DeBow, Vol. VIII., 571-2; *Ib.*, XI., 628-9; *Ib.*, XII., 202, 677, 332; *Proceedings of the Memphis Convention of 1853*, p. 39 Maury's Letter.

on the same terms with his own favored enterprise, and by any one who would undertake it, of a second road with its eastern terminus not above the mouth of the Ohio; apparently hoping thereby to unite the extreme North and the extreme South against Mr. Benton's St. Louis road; and the following session of Congress (1851-52), Senator Rusk, of Texas, actually introduced a bill to that effect. Three years later (1854-5) was introduced another measure, declared to be the only one having the remotest chance of success, for the building of three roads.[15]

The difficulties to be overcome in this great enterprise had by this time taken somewhat definite shape; and they were mainly of three sorts. First, the financial difficulty—it was universally conceded that the work was of too great a magnitude for individuals to undertake without some guaranty of a reasonable profit from their investment, or some other equally tangible inducement; hence, the appeals for aid to the Government and to States. Then the political complication arose, growing out of the fundamental difference between the Whig and Democratic schools as to the powers of the general government under the constitution in respect to the construction and owning of improvements. Finally, the sectional trouble came into play, and that in a two-fold shape; one was the very natural struggle to have the proposed road so located as to contribute most materially and directly to the commercial prosperity of the respective contestants; the other was another phase of the ever present and irrepressible question of slavery—the South looking to the road through southern territories to California as a means not only to commercial growth but also of slavery extension, and the North being fully determined that nothing of the sort should come about, and that every foot of the road when built should be on free soil. In an address delivered before the Louisiana Legislature, by the accomplished lawyer and poet, Genl. Albert Pike, of Arkansas, in 1855, he said:

"We cannot deceive ourselves, struggle to do so as we may, in regard to the feeling against us in the Northern States. That feeling is one of hostility to our political and commercial advancement and prosperity. We are not to be allowed to associate with ourselves any more slave States; we are to have no road to the Pacific by the aid of the general government. The area of slavery is not to be extended.....No,

[15] DeBow, Vol. VII., 14; *Ib.*, Vol. XII., 99; Pike's Address of 1855, p. 12, pamph.; *Memorial of Little Rock Convention, 1852*, p. 7, pamph.

sir; the South is to get no aid from the general government. If she wants a Southern road, she must build it herself; and if she cannot build it herself, she does not deserve to have it. Indeed, with our overplus of constitutional scruples, I do not know how we are to receive such aid. Our Northern brethren have no such scruples;.....Yet, sir, we will not quarrel with our Northern brethren. If we cannot compete with them in a fair rivalry, it is our fault and our misfortune.....Weary and sick with the constant clamor for aid kept up by the Southern States about the doors of Congress, we propose to see whether they cannot in this great matter, do something for themselves. We think that the South can build her own road to the Pacific; and, like the brave miller at Lundy's Lane, we propose TO TRY. We do not propose to wait until the new free States of Nebraska, Kansas, Oregon and Washington, and the four or five more that the prophetic eye of Mr. Benton already sees carved out of the great Northwestern Territory, with their dozen or more Senators, take the moneys from the treasury of the nation, and lay down the rail across the continent far in the frozen north."

These views, on either side, were, of course the extreme; but they were common and potential.

Apart from those differences, which must always be expected, as to the feasibility and wisdom of novel schemes of such magnitude, it was this sectional commercial rivalry and jealousy about slavery which mainly prevented the land-grants prayed from the government, rather than the political theory; for even Mr. Calhoun, the great exponent of strict construction, conceded the right of the Federal government to grant lands to such enterprises extending through its own domains, in its attitude of landed proprietor and for the enhancement of the values of those lands retained.[16]

The theoretical difficulties in the way of obtaining either the building of the road by the government or liberal donations of money or lands to the enterprise, elicited the suggestion of a government guaranty. This came, in 1851, from the Hon. Thomas Butler King, of Georgia, in response to inquiries from the merchants of San Francisco. It was, in substance, that the government should guarantee to any persons who would undertake to complete the road a net dividend of five per cent. per annum for a period of years after completion, and on a certain maximum cost, in consideration of which guaranty the mails, servants, troops and munitions of war of the government should be transported free of cost during the time named.[17]

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[16] Address on the Southern Pacific Railroad, 1855, by A. Pike, pamph.; *Works of Calhoun*, Vol. V., p. 289.

[17] *Memorial of the Little Rock Convention of 1852*, p. 6., pamph.

The year 1852 witnessed a convention in New Orleans, in January, by which the route near the parallel of thirty-two degrees was endorsed; a similar convention in Little Rock, in July; and the passage by the State of Texas of an act proposing to incorporate The Mississippi and Pacific Railroad Company, with a great land subsidy, provided any company would accept the contract to build under the act a railroad from the Arkansas line, not above Fulton, to or near El Paso, with a view to the Pacific ultimately. But so doubtful were capitalists of the practicability and commercial value of the enterprise that, although the grant was of twenty sections for every completed mile of road, eight years afterwards less than twenty-five miles had been finished within the State.[18]

In 1853 Col. James Gadsden, (previously mentioned as President in 1846 of the South Carolina Railroad Company), then Minister to Mexico, negotiated the "Gadsden Purchase," by which the United States acquired from Mexico a release of all claims to the territory lying south of Gila river. This purchase settled a disputed boundary, growing out of the treaty of Guadelupe Hidalgo, when the question was about to produce a renewal of hostilities, and Santa Anna had even led an army into the disputed district, with threats of war; but even under these circumstances the Gadsden treaty was not adopted without much opposition. When it was before the Senate, Northern Senators, probably remembering Mr. Gadsden's report of 1846 to his railroad company, resisted it on the ground that it was meant to give the Southern States a railroad route to the Pacific; and it was at first rejected for that reason.[19]

The government surveys were pushed energetically. Along the southern line, through or near the Gadsden purchase, influenced by reports of great mineral wealth in that region, and of the existence of a depressed plain between the waters of the Rio Grande and of the Colorado, various parties were sent out. Lieut. Williamson, in 1853-4, to the north of the Gila; Lieut. Gray, in 1854, from Marshall, Texas, to San Diego; Lieut. Parke, in 1854-5, from San Diego, into Northern Texas; and various other surveys by Lieut. Beale and Capt. Pope. The re-

[18] DeBow, Vol. XII., 305; *Ib.*, Vol. XVI., 545; *Notes on T. & P. Ry.*, pamph., 1873.

[19] *Division and Reunion*, Wilson, p. 189; Pike's Speech of 1855, p. 11.

ports of these surveys contained the first reliable information about the country explored, and their general results, excited great interest. DeBow's for December, 1853, said:

"Recent surveys of this route have revealed the astounding fact that a belt of country, varying from ten to one hundred miles broad, extends quite across the continent from the Atlantic to the Pacific, which is so level that a railroad may be extended the whole distance without traversing a mountain range.....If the El Paso route is the one adopted by the government, Savannah would become the great Atlantic depot, and San Diego the Pacific. Col. Benton will, no doubt, make a great effort to have one of the northern routes adopted; but he will not succeed. He cannot show as good a route in the north as that of El Paso, so far as regards grading; and as to climate, he must convince Congress that a route impeded by snows and ice one-fourth of the year is preferable to one over the sunny plains of Texas and the delightful table lands of New Mexico, before he can persuade them to abandon the southern route. Should, however, the 'old man eloquent' succeed, with his fascinating rhetoric and figures, in gaining the preference for a northern route, the private enterprise of the South would take up the southern route alone, and complete the road. They are able to do it."

Secretary Davis, in his report to the 33rd Congress, dated February 27, 1855, said that

"The route of the 32nd parallel is, of those surveyed, the most practicable and economical route for a railroad from the Mississippi river to the Pacific Ocean. This is the shortest route; and not only is its estimated cost less by a third than that of any other of the lines, but the character of the work required is such that it cannot be executed in a vastly shorter period."[29]

It would be tedious to protract this history so as to notice, even in the briefest way, all of the agitations, discussions, passions and schemes which gathered about this question. The Atlantic-Pacific Railway swiftly assumed a place of first importance in the popular mind. In the summer of 1856 a plank favoring the project was introduced into the platform of each of the political parties, and the presidential candidates of that election were all pledged to it. Numerous bills and resolutions were passed by State Legislatures, and measures were introduced into Congress looking to the construction of the road. But little real progress was made, however. Through the years 1858 and 1859 there was much discussion in the Senate; and extracts are here given from the speeches of Mr. Douglass. He said:

"I have witnessed with deep regret the indication that this measure is to be defeated at the present session of Congress. I had hoped that this Congress would signalize itself by inaugurating the great measure of connecting the Mississippi valley with the Pacific Ocean by a railroad. I had supposed that the people of the United States had decided that question at the last

[29] *Character and Promise of the Country on the Southern Border*, pamph., 1876, by John A. Wright, p. 39; DeBow, Vol. XV., p. 640.

Presidential election in a manner so emphatic as to leave no doubt that their will was to be carried into effect.....I believe it is about the only measure on which there was entire unanimity; and it is a very curious fact that the measure which commanded universal approbation—the measure upon which all parties united—a measure against which no man could be found, previous to the election, to raise his voice—should be the one that can receive no support nor the coöperation of any one party, while disputed measures can occupy the whole time of Congress and be carried through successfully.....Various objections have been raised to this bill, some referring to the route, involving sectional considerations; others to the form of the bill; others to the present time as inauspicious for the construction of such a railroad under any circumstances, etc."[21]

And again:

"Then, sir, why should we not make this road? The military argument has been fully and ably developed; the commercial argument has been also portrayed here; all the advantages have been fully explained to the Senate; all agree that we ought to have the road. Then, why can we not unite on a bill for the purpose of making it? Simply because there are jealousies of section against section. Sir, agree that, if there are to be two roads, one should be at the North and the other at the South. If there are to be three, let one be at the North, one at the South, and one in the center. If there is to be but one, let it be so central as to give undue advantage neither to the North or to the South."[22]

In 1857 the San Antonio and San Diego Stage Line had been established,—followed in 1858 by the "Overland Mail" under the Butterfield contract with the government, calling for a semi-weekly service between St. Louis and San Francisco. Not only did these lines speedily induce immigration into New Mexico and Arizona, cause the building of towns and villages, and lead to large investments in mining operations—but also they confirmed, in a most practical way, the results of the surveys as to the entire feasibility of a railway along their line. It was rapidly coming to be accepted as a fact that a great trans-continental railway would before long be built somewhere between the 32nd and 35th parallels. But for the intervention of the Civil War, in 1861, this would almost certainly have been the case.[23]

The war forced the road, but forced it north. The secession of the Southern States shook the nation to its foundations. The war was in progress; there was still some question, even in the minds of many northern people, as to the right of the government to coerce States to remain in the Union; the result of the conflict seemed likely to establish a precedent for disunion; and the Paci-

[21] Delivered April 17, 1858; *Cong. Globe*, 1st Sess., 35th Cong., p. 1644.
[22] Delivered Jany. 12, 1859, *Cong. Globe*, 2nd Sess., 35th Cong., p. 334.
[23] *Character and Promise*, etc., pp. 36, 40.

fic States were, from their local interests, their peculiar population and their remoteness, regarded as dangerously exposed to temptation to withdraw. The United States, moreover, appeared to be on the eve of a war with England. The demands of that power in the affair of the Trent had been yielded to from a sense of helplessness rather than of right. It was stated that orders had gone out to the British fleet in the Pacific to strike at San Francisco as soon as news arrived of a commencement of hostilities.[24]

"The country had become alarmed for the safety of the Pacific States, owing to complications with England. In case these complications resulted in an open rupture, the loss of our Pacific possessions was feared; but even if this fear were groundless, it was quite apparent that we were unable to furnish that degree of protection to the people occupying them which every government owes to its citizens. It is true, the threatened danger was happily averted, but wisdom pointed out the necessity of making suitable provision for the future. This could be done in no better way than by the construction of a railroad across the continent. Such a road would bind together the widely separated parts of our common country, and furnish a cheap and expeditious mode for the transportation of troops and supplies. And if it did nothing more than afford the required protection to the Pacific States, it was felt that the government, in the execution of a plain duty, could not justly withhold the aid necessary to build it; and so strong and pervading was this opinion, that it is by no means certain the people would not have sanctioned the action of Congress if it had departed from the traditional policy of the country regarding works of internal improvement, and charged the government itself with the direct execution of the enterprise.

"This enterprise was viewed as a national undertaking for national purposes, and the public mind was directed to the end to be accomplished rather than the particular means employed for the purpose. Although this road was a military necessity, there were other reasons active at the time in producing an opinion for its completion besides the protection of an exposed frontier. There was a vast unpeopled territory lying between the Missouri and Sacramento rivers which was practically worthless without the facilities afforded by a railroad for transportation of person and property. With its construction, the agricultural and mineral resources of this territory could be developed; settlements made where settlements were possible, and thereby the wealth and power of the United States essentially increased. And there was also the pressing want, in times of peace even, of an improved and cheaper method for the transportatioin of the mails, and supplies for the army and the Indians."[25]

Moved by the foregoing considerations, Congress passed the act of July 1st, 1862. This statute incorporated the Union Pacific Railroad Company. It was amended and extended by that of July 2nd, 1864. The general effect of the two acts (modified, however, by later amendments) was to provide for the construc-

[24] *Relations between the C. P. R. R. and the U. S. Govt.;* pamph. 1889, p. 43.

[25] Opinion of Justice Davis, in United States v. Union P. R. R. Co., 91 U. S., 72.

tion of a main trunk line, and a telegraph line from the Pacific coast eastward to a point on the 100th meridian of west longitude, from which point branches were to radiate to various points on the Missouri river. The privileges of the acts were extended to the Central Pacific of California and to three other companies. The right of way was granted through the public lands, with other valuable privileges There were also granted ten alternate sections of land per mile on each side of the tracks, to be selected within twenty miles of the respective lines. The Secretary of the Treasury was authorized to issue to the respective companies United States bonds at the rate of $16,000 per mile (upon the mountainous portions $32,000 and $42,000 according to the difficulties of construction), the principal and interest of which the companies were to repay to the government after thirty years from date, with the privilege of issuing railroad bonds to an amount equal to the subsidy, which should constitute a mortgage prior to the subsidy bonds. All public lands within twenty-five miles of the lines were withdrawn from pre-emption and sale, thus giving to the railroad lands a monopoly of the market. The time for the completion of the road was fixed at the 1st of July, 1876.

The land-grants thus made amounted to about 35,000,000 acres; and the bonds lent, to about $55,000,000.[26]

Stimulated by this enormous subsidy, the Union Pacific and the Central Pacific pushed their work forward rapidly, the former from Omaha westward, the latter from San Francisco eastward, the two roads meeting at Ogden, May 10th, 1869, and constituting the most remarkable through line then in the world. The problem of trans-continental communication was solved; but the gorgeous dream, which dazzled the imaginations of its designers, of a great current of Indo-European commerce, forsaking the old ocean routes and setting across the Rocky mountains into the harbors of the Atlantic, was never realized. The pactolian stream was dried up at its springs; for the Suez canal was opened in November of the same year. Still, the success and the practical results were more than enough.

The return of peace, the revival of normal industrial conditions

[26] Wm. A. Piper, of Calif., speech in House, Apl. 8., 1876; Kansas Pacific *v.* Union Pacific, Arguments, etc., pamph., 15, 16, 31; *Relations*, etc., p. 39.

in the South, and the success of the Union-Central Pacific lines, naturally brought back the attention of the people to the route along the 32nd parallel. The development of that line of country caused by the "Overland Mail" had been destroyed through the withdrawal of the United States troops in 1861; the improvements made were ruined, and the region again left largely to the control of the fierce Apaches and the desperadoes driven out from California, Montana and Nevada; but the road was still demanded for other reasons. It was widely felt and urged that the existence of the great through line along the 42nd parallel was of little or no service to the government in the discharge of its duty in the defense of the Mexican border six hundred miles to the south, and other obligations in that region; that the location of the existing line, forced by the war conditions, was such as to deprive all the southern part of the United States of any practical benefit through it, and that the arrangement was sectional in its effect; that the Congress and such Legislatures as had participated in the movement, in the presence of a great exigency and stirred by a supreme anxiety to accomplish a work so important and hazardous, had made concessions without needed safeguards, and had called into existence immense corporations, monopolistic, rich and masterful to such a degree as to enable them to defy their creators—for which the necessary remedy lay through the creation of a capable competitor.

Again a strong movement was developed in the South; and numerous conventions were held as in the fifties, and other means of agitation adopted. Congress yielded to this demand in 1871, and incorporated the Texas-Pacific Railway Company, by the Act of March 3rd.

At that time a Southern Pacific Railroad Company, which had been incorporated by the States of Louisiana and Texas, owned and operated sixty-six miles of road between Shreveport and Longview, with the right to extend its line westerly to El Paso. Now the congressional charter of the Texas Pacific authorized the construction of a railway from Marshall, Texas, a station on the Southern Pacific to El Paso, and thence to a point near the southeast boundary of California, and thence to San Diego, following the 32nd parallel. Supplemental acts were passed in

1872, 1873, and 1874. The name was changed to the Texas and Pacific Railway Company. Congress could donate no lands in Texas because the federal government owned none in that State; but in addition to a right of way four hundred feet wide, it donated to the company, conditioned on a defined rate of progress in construction, 17,843,200 acres in New Mexico, Arizona and California. By its charter the company was authorized to acquire the property and franchises of any other companies previously chartered for the same route; and in March, 1872, it did acquire the Southern Pacific aforesaid, thus getting an eastern terminus at Shreveport; and afterwards it acquired two Texas companies, neither of which had constructed any railroad, but which claimed certain land-grants from the State. By the Act of May 2nd, 1873, the State, in order to adjust and define the rights of the company, and to encourage the speedy construction of its railroad, donated about 13,376,000 acres of land.[27]

Section 23 of the charter enacted that, in order to connect the Texas and Pacific with San Francisco, THE SOUTHERN PACIFIC, of California,[28] might construct a line from the Tehachapa Pass, by Los Angeles, to the Texas & Pacific, at or near the Colorado river, and that company was granted a 200 foot right of way, and twenty sections of land for each mile constructed and equipped.

The Texas & Pacific Company began the construction of its road in 1871. By the year 1874 it had constructed and acquired by its purchase about three hundred miles; of which, however, only 147 miles (from Marshall to Dallas) was built on the main route prescribed by the Act of Congress—the residue being constructed in order to comply with certain requirements of the Texas grant. At the western end, the company had built no track whatever.[29] Then came the financial crash of 1873, with its shrinkage in all railroad values, and general tightness in money matters, and further work on the road was practically stopped.

In the following year, 1874, Mr. Thomas A. Scott, President of the company, armed with influential memorials, applied to Congress for aid to the company in the shape of an extension of time

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[27] *Character and Promise, etc.*, pp. 42-46, 63.

[28] Incorporated by that State in 1865, and to which in the act of 1866 incorporating the Atlantic & Pacific, Congress had granted a similar right of connection with that road, and large quantities of land.

[29] Notes on T. & P Ry., 1873 (official), p. 10.

for the construction and of a loan of government credit. His bill also provided for similar aid to the Atlantic and Pacific.[30] The scheme was that the latter company should extend its line southwestwardly from Vineta, in the northeast corner of the Indian Territory, to which point it was then built, and connect with the Texas and Pacific at or near the southeast corner of New Mexico, abandoning the remainder of its route and about 33,000,000 acres of its land grant; thus becoming a branch of the Texas & Pacific.

This measure did not become a law: and similar bills were introduced at the sessions of Congress of 1875 and 1876.[31]

In November, 1875, a national railroad convention was held at St. Louis for the purpose of considering the best plan to secure another competing route to the Pacific. Eight hundred and sixty-nine delegates were assembled, representing nearly every pursuit, accredited respectively by the Governors of thirty-one States and Territories, or by twenty-two boards of trade, or by the mayors of seventy-six cities and towns. It was in session for two days; and, without a dissenting vote, passed a series of resolutions favoring Congressional aid to the Texas and Pacific, substantially in the form urged by Mr. Scott. A special committee of thirteen eminent citizens was appointed to present the resolutions, with addresses expressing the views of the convention, to Congress, and the President. By the beginning of the year 1876, eleven States, through their Legislatures, and the National Grange, which met in Charleston, had adopted resolutions approving and urging the measure.

The pendency of these measures called out Mr. C. P. Huntington in behalf of the Southern Pacific of California. He and his army of friends and supporters opposed the "Tom Scott Bill" most bitterly, and introduced a counter measure in the interest of his own company. Before the appropriate committees of the House and the Senate, the two railroad magnates carried on a fierce war of argument, criminations and recriminations.

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[30] A company which had been chartered by Congress July 27, 1866, with a land grant of about 42,000,000 acres for the purpose of constructing a railroad from the western boundary of Missouri to the Pacific Ocean, on the 35th parallel—substantially the old "Memphis" route.

[31] The Texas-Pacific Railway; open letter of 1878, by Thos. Norwood, of Georgia, p. 7; also House Resolution 472, of Jany. 5, 1876.

The Huntington party were in fact desirous of defeating the Texas-Pacific bills because they had designs on its territory. They maintained that the aid desired by Mr. Scott was wrong in principle and hazardous in fact; that the subsidy was unnecessary, since the road could and would be built without it, and that it was not in accord with the wishes of the public; that to grant it would cause undeserved injury to the vested interests of the Southern Pacific at the California end of the line; that the Southern Pacific would construct the road from the Pacific to the western boundary of Texas, within six years, if Congress would only transfer to it, as to such part of the route, the rights and grants of the Texas and Pacific charter, and that without any subsidy whatever; that the zealous Southern support of the Texas and Pacific was factitious, having been worked up by paid emissaries, and being the result of their agitation rather than of any settled or intelligent convictions; that the Texas and Pacific was not in fact a Southern road at all, but was only intended by Mr. Scott, who was also President of the Pennsylvania Central and its immense monopolizing system of five thousand or more miles, to be a feeder for that system; that this scheme was to be worked out through the link contrived by the Vineta branch, diverting to St. Louis, the western terminus of the then Scott system, of the great Pacific carrying trade so eagerly sought on all hands.[32]

To which Mr. Scott replied by denial, and generally in detail. He asserted that the leading statesmen of the nation had long recognized the propriety of aiding such public improvements as enabled the government more expeditiously and cheaply to discharge its functions; nor was the subsidy prayed for opposed by the sentiment of the people, the twelve millions of the South, at least, being overwhelmingly favorable to it, in addition to its support elsewhere; nor was this particular subsidy hazardous or excessive; that Mr. Huntington's only object was to defeat the construction of the line by a rival and competing company—an object just as effectually achieved if the road should remain unbuilt; that his offers to build the road without government subsidies were valueless because he did not so represent the Southern Pacific as to bind it, and if he did, that the company was not able to

[32] Huntington's Remarks before Senate Com., Jany. 25, 1876; Speech of Hon. H. A. Herbert, House, June 6th, 1878.

carry out his promises; that, in truth, the Southern Pacific was nothing but an appendage of the Central Pacific, and a feeder for it, the managers and stockholders being virtually the same, and the two were holding the State of California and the Pacific slope in the tightening clutch of their collossal and grasping system; and that to accept the scheme of Mr. Huntington, would simply be to perpetuate the greatest monopoly which the world had ever seen.[33]

The controversy, which was protracted through several years, naturally attracted much attention and interest,—especially in those regions more directly to be affected. The newspapers had much to say about it, of course. They kept the arena of charge and countercharge at white heat.

In the early winter and spring of 1877, while the Tilden-Hayes troubles were at their highest, there was much gossip about efforts to alienate the Southern Democrats from those of the North by cunning uses of their differences on this measure; and again, of trading between Republicans and Democrats, for support of the electoral count on the one hand, and the Texas and Pacific bill on the other. It will be remembered, in this connection, that Mr. Lamar is reported to have attributed the violent and persistent attacks made upon him because of his support of the Electoral Commission Bill, by *The Union,* a Democratic paper at Washington, to his support of the Texas-Pacific bill.

The situation was complicated by the case of the Northern Pacific Railroad. That company was created by Act of Congress, of July 2nd, 1864, and authorized to construct its road substantially along the 47th parallel—being about the route surveyed in 1853-4 under the direction of Secretary Davis. It was granted lands amounting to between fifty and sixty million acres. The reasons for its creation and aid, as shown by the debates and the reports of the committees in Congress, were the need of it by the government and the people as a military and post road, as a means of managing the Indian affairs with greater economy and certainty and of reducing the army in the Northwest, as a factor in the development of the country penetrated by it, and as a counter move, by a route 300 miles further north than the Central Pa-

[33] Texas and Pacific Railway, Committee pamph. of 44th Cong., 1st Sess.

cific lines, to the anticipated building of the Canada Pacific—thus striking for the trade of Asia by the shorter way from Puget Sound across the North Pacific Ocean. The Northern Pacific had not progressed as fast as did the Union-Central line. In 1874 it had constructed 555 miles, having reached Bismarck on the Missouri river, going west, and Kamala in Washington Territory, coming east; but it then also found itself, under the changed condition of things growing out of the financial crisis, unable to continue the work with its own resources. In May, 1874, it therefore also applied to Congress for aid, asking a guaranty of interest at five per cent. in gold for thirty years on its bonds to be issued at the rate of fifty thousand dollars per mile, with certain securities offered the government—much the same sort of request as that of the Texas and Pacific.[34] Thus the two great schemes were pending at the same time, and to a certain extent interfered with each other. Not only so—a letter from Mr. Scott to Mr. Lamar, dated April 13th, 1876, asserts that certain Senators, "the representative men of the Northern Pacific, have joined Mr. Huntington in his endeavor to take away the land grant and destroy the Texas and Pacific Company."

On the 4th of March, 1876, Mr. Lamar, then chairman of the House Committee on Pacific Railroads, wrote to a friend, that "The Pacific Railroad project cannot be pushed through this Congress in consequence of the apprehension of each party that the other will make capital out of it, and the desire of each to make capital against the other."

During the years 1876 and 1877 Mr. Huntington succeeded in inducing the Texas-Pacific Company to accept a "compromise bill" which was reported favorably by the House Commitee on the 24th of January, 1877. There were two grave difficulties, however, in the way, in addition to the political embarrassments: First, the Vineta connection with St. Louis, as already explained, which alienated some of the Southern members; secondly, the discontent and opposition of the city of San Diego. That city had seen the promise of a magical commercial development. As the terminus on the Pacific, with its unsurpassed harbor, of the

[34] A Brief Statement: pamph. dated Dec. 9, 1874, by Benj. W. Wade and B. F. Potts, Gov. of Montana Ter.

great Southern railroad, it might well dream of rivalry with San Francisco.

The intervention of the Southern Pacific however, with its proposed connection from Fort Yuma, *via* Los Angeles, to San Francisco, manifestly meant that the line from Fort Yuma, if built at all, was to be condemned to the insignificance of a mere branch. That city set to work therefore with great energy to defeat the compromise bill; and through the efforts of its representative, much opposition was aroused.

The result of all these obstructions was that in the end Mr. Huntington triumphed. Although the struggle continued for two or three years longer, and numerous other bills were offered, in December, 1879, announcement was made through the press that the Texas and Pacific would strive no further for government aid.

How far the enlistment of pride and passions in this great struggle between the two railroad companies, conducted on an arena conspicuous and national, contributed to bring about the results achieved afterwards, can not now, perhaps, be told exactly. Human nature being what it is, they probably weighed in the doubtful balancing of calculations—but however that may be, events followed.

The Texas and Pacific, by floating a mortgage in 1880, was constructed westwardly, until, on January 1, 1882, it reached Sierra Blanca, 523 miles west of Fort Worth, where a junction was formed with the Southern Pacific, which had been under construction eastward even while the contest before Congress was progressing.

For the Southern Pacific, in its turn, had been opened from San Francisco to Fort Yuma, a distance of 729 miles, on May 5, 1877. Extended still easterly through Arizona, it met the Atchison, Topeka and Santa Fe at Deming, New Mexico, on March 18, 1881; and on January 1, 1882, met the Texas and Pacific at Sierra Blanca, in Texas, as stated above. Meanwhile, the Texas and Pacific had acquired by consolidation, in June, 1881, a line of road from Shreveport to New Orleans. In 1882, the long struggle for a Southern Pacific line was ended upon the opening by the two roads of through lines from San Francisco to New Orleans and to St. Louis, the latter passing over the Iron Mountain.

In the years 1882 and 1883 the Southern Pacific acquired control of four short lines, which enabled it to open a continuous route of its own, without the aid of the Texas and Pacific, from New Orleans *via.* Galveston, to San Francisco, with a fleet of iron steamers plying to New York, Havana, Vera Cruz, and gulf ports—substantially the present operating management of that great system.[35]

The special purpose of this paper was to give account of the building of the Southern Pacific, and in one sense that purpose is now accomplished; but before closing it seems well to narrate briefly, the building of the other roads, in order that the proper place of the Southern Pacific in the continental system may be seen clearly.

A third great trans-continental route is that of the Atchison, Topeka and Santa Fe.

Incorporated in March, 1863, it received in 1864 a land grant in aid of its construction, and the road was put in operation from Topeka to Emporia, on August 1, 1870. The whole line between Atchison and the Colorado State line was opened on December 23, 1870. The New Mexico division was opened to Albuqurque April 15, 1880; and to Deming, N. Mex., where the line connects with the Southern Pacific of California, March 1, 1881. (From Deming to Benson, Ariz., 174 miles over the lines of the Southern Pacific, with equal rights.) From Benson to Guyamas, Mexico, and the Gulf of California, in 1882.[36] By extensions and acquisitions of other roads, there is now a through line from Chicago to the Gulf of California, with a branch from Albuqurque, over the Atlantic and Pacific, through Arizona, to Barstow, California, and thence to Los Angeles and San Diego on the Pacific.

Incidentally mention has already been made of the beginnings of the Northern Pacific Railroad. It was shown that in the year 1874, that enterprise had so far progressed that the road had reached Kalama in Washington Territory, going north and east and Bismarck on the Missouri river going west; a total of 555 miles constructed; but between those points was a gap of about 1,500 miles. The depression following the financial panic of 1873

[35] Poor's *Manual of Railroads*, 1883, pp. 879, 923, 861.
[36] Poor 1883, p. 809; *Ib.*, 1891, p. 23.

caused a suspension of construction. In January, 1874, the company defaulted in interest on its bonds, the property was placed in the hands of a receiver, and in August, 1875, was sold to a new company organized in the interest of the stockholders and the creditors of the old. Construction was resumed in 1879. The work was vigorously pushed until the gap between the eastern and western divisions was closed, and the main line opened on September 8, 1883.[37]

The Canadian Pacific Railway Company was incorporated February 17, 1881. From Quebec on the River St. Lawrence, passing northward of the great lakes and thence approximately along the 50th parallel to Vancouver at the extreme west of British Columbia, the grand reach of this road is more than 3,000 miles. The whole line was completed by November 7, 1885, but was not opened for through traffic until June 28, 1886. The company runs a line of mail steamers monthly between Vancouver and China and Japan, the British and Dominion Governments combining to pay a subsidy of about $300,000 per annum in consideration of this service.[38]

It will be seen therefore that, speaking roughly and without reference to the variants arising from numerous long branches and minor systems, there are five great Pacific lines. If old Eli Whitney, the dream of whose life sixty years ago was the mighty achievement of one, could return to this earth for a little while, how he would stare! It has been indeed a wonderful achievement; and when we remember that even at this late date the Russian Empire, with all of its immense resources and autocratic power, is slowly and toilfully constructing a single line to its Pacific coast, and that through a country much less difficult, we may well pride ourselves on an illustration so signal of American enterprise and energy.

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[37] Poor's *Railroad Manual*, 1884, p. 742.
[38] Poor's *Manual* 1889, p. 931; *Ib.*, 1896, p. 991.

THE ORIGIN OF CERTAIN PLACE NAMES IN THE STATE OF MISSISSIPPI.[1]

By Henry Gannett.[2]

Aberdeen; city in Monroe county, named for the city in Scotland.

Ackerman; town in Choctaw county, named for a land owner.

Adams; county, named for President John Adams.

Alcorn; county, named for James L. Alcorn, Governor of the State in 1870-71.

Amite; county and river. The French named the river in commemoration of the friendly manner in which they were received by the Indians.

Amkalli; tributary of the Flint river. Indian word meaning "tumbling water."

Artesia; town in Lowndes county, so named because of an artesian well near.

Ashland; town in Benton county, named for the home of Henry Clay.

Attala; county;
Attalaville; village in Attala county, named for Atala, the heroine of an Indian romance by Chateaubriand.

Austin; town in Tunica county, named for Colonel Austin, upon whose plantation the town was built.

Baird; town in Sunflower county, named for the former owner of the town site.

Baldwyn; town in Lee county, named for the land owner.

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[1] The contribution, of which this paper forms a part was prepared for publication as a bulletin of the U. S. Geological Survey under the title of *The Origin of Certain Place Names in the United States.*—Editor.

[2] Henry Gannett was born at Bath, Me., August 24, 1846. He graduated at the Lawrence Scientific School, Harvard, in 1869, and at the Hooper Mining School, 1870. Mr. Gannett was geographer for the 10th, 11th, and 12th censuses. In 1882 he was appointed Geographer of the United States Geological Survey, which position he still occupies. He has made the following contributions to knowledge: *Manual of Topographical Surveying; Statistical Atlas, 10th and 11th Censuses; Commercial Geography; Dictionary of Altitudes; Building of a Nation; United States; Stanford Compendium.* A sketch of his life may be found in *Who's Who in America* (1901-2).—Editor.

Bay St. Louis; city in Hancock county, named for Louis XI. of France, and, from its position on a bay given the prefix.

Bay Spring; town in Tishomingo county, named for the home of Robert Lowry in the same county.

Beauregard; town in Copiah county, named for General Pierre Gustave Toutant Beauregard, Confederate army.

Belen; town in Quitman county, named for the battle ground upon which Colonel John A. Quitman fought during the Mexican War.

Belzoni; town in Washington county, named for a celebrated Italian archaeologist, Giambattuta Belzoni.

Ben Lomond; village in Issaquena county, named for the beautiful lake in Scotland.

Benton; county, named for Senator Thomas H. Benton, of Missouri.

Bentonia; town in Yazoo county, named for the Christian name of Mrs. Hal Green, a resident.

Biloxi; bay, and city in Harrison county, named for an Indian tribe who formerly occupied this region. The name said to mean, "trifling or worthless," or according to another authority, "turtle."

Blackhawk; town in Carroll county, named for a Choctaw Indian chief.

Blue Mountain; town in Tippah county, named from a large bluish hill near the site.

Blue Springs; town in Union county, named from springs with water of a bluish cast.

Bogue Chitto; town and creek in Lincoln county, Indian word meaning, "big creek."

Bolivar; county and village, named for General Simon Bolivar.

Bolton; town in Hinds county, named for a man interested in the building of the railroad from Vicksburg to Jackson.

Booneville; town in Prentiss county, named for an early settler, Colonel Boone.

Brandon; town in Rankin county, named for Gerard C. Brandon, Governor in 1828-32.

Brooksville; town in Noxubee county, named for a resident family.

Byhalia; town in Marshall county. Indian word meaning, "standing white oaks."

Calhoun; county, named for John C. Calhoun of South Carolina, Vice-President of the United States in 1825-33.

Carroll; county, named for Charles Carroll of Carrollton.

Carrollton; town in Carroll county, named for the home of Charles Carroll.

Chaney; creek, named for Robert Chaney, an early settler in Perry county.

Charleston; town in Tallahatchie county, named for Charles II. of England.

Cherokee; village in Lowndes county, named for an Indian tribe, the name is derived from *cheere,* "fire," and is said to be the name of their "lower heaven."

Chickasaw; county, named for the Indian tribe. According to Edward Fontaine, the tribe divided on account of a feud and one part took the name of one brother, Chickasaw, and the other, the name of the other brother, Choctaw. The name is said to mean "rebels" or "renegades."

Choctaw; county, named for an Indian tribe. Gatschet says the word means, "flathead," but another authority gives, "charming voice," because of the aptitude of the tribe for singing and music.

Chulahoma; town in Marshall county. Indian word meaning, "red fox."

Claiborne; county, named for William C. C. Claiborne, Governor of Mississippi Territory.

Clarke; county, named for Joshua G. Clarke, first Chancellor of the State.

Clarksdale; town in Coahoma county, named for Captain Clark, brother-in-law of Governor Alcorn.

Clay; county, named for Henry Clay, the statesman.

Coahoma; county and town. Indian word meaning, "red panther."

Coffeeville; town in Yalobusha county, named for General John Coffee, noted Indian fighter.

Coldwater; town in Tate county, named for a nearby creek.

Como; town in Panola county, named for a highland pond upon the place of Dr. G . G. Tate, who settled it.

Copiah; county.
Copiah Creek; village in Copiah county. Indian word meaning, "calling panther."

Corinth; city in Alcorn county, named for the ancient city in Greece.

Covington; county, named for General Leonard Covington.

Crawford; town in Lowndes county, named for the Reverend Crawford, a Baptist minister.

Decatur; town in Newton county, named for Commodore Stephen Decatur.

DeSoto; county, named for the discoverer of the Mississippi river, Hernando de Soto.

Drew; village in Sunflower county, named for a railroad man.

Duck Hill; town in Montgomery county, named for a hill near the town, where ducks were formerly plentiful.

Duncan; town in Bolivar county, named for a leading citizen.

Ebenezer; town in Holmes county, named by its early settlers for the Jewish city.

Edwards; town in Hinds county, named for Dick Edwards, owner and proprietor of the Edwards House, Jackson, Miss.

Ellisville; town in Jones county, named for Powhattan Ellis, member of the Supreme Court, and United States Senator.

Ethel; town in Attala county, named for the daughter of Captain S. B. McConnico.

Flora; town in Madison county, named for the wife of W. B. Jones.

Franklin; county, named for Benjamin Franklin.

French Camp; town in Choctaw county, named for an old settlement made by the French.

Friar Point; town in Coahoma county, named for an old woodchopper, early settler.

Gallman; town in Copiah county, named for a leading citizen.

Goodman; town in Holmes county, named for the first president of the Mississippi Central Railroad.

Greene; county, named for General Nathaniel Greene, officer of the Revolution.

Greenville; town in Washington county, named for its first settler.

Greenwood; city in Leflore county, named for Greenwood Leflore noted Choctaw Indian Chief.

Grenada; county, and town in same county, named for the Spanish province.

Gulfport; town in Harrison county, named by W. H. Hardy, because of its situation.

Hancock; county, named for John Hancock, one of the signers of the Declaration of Independence.

Handsboro; town in Harrison county, named for a Northern man who established a foundry there before the Civil War.

Hardy Station; town in Grenada county, named by the railroad company for Richard Hardy, the owner of the land upon which the depot was built.

Harperville; village in Scott county, named for G. W. Harper, an old resident.

Harrison; county, named for William Henry Harrison, former President of the United States.

Harrison; town in Tallahatchie county, named for James T. Harrison, prominent lawyer.

Hattiesburg; town in Perry county, named for the wife of Captain W. H. Hardy, its founder.

Hernando; city in DeSoto county, named for Hernando de Soto, discoverer of the Mississippi river.

Hickory Flat; town in Benton county, so named because of the presence of a grove of trees of this species in the vicinity.

Hinds; county, named for General Thomas Hinds, former Congressman from Mississippi.

Hollandale; town in Washington county, named for Dr. Holland, upon whose plantation the town was built.

Holly Springs; city in Marshall county, named on account of the prevalence of these two features.

Holmes; county, named for David Holmes, Governor of the Territory and State, 1809-17.

Houston; city in Chickasaw county, named for the famous Indian fighter, General Samuel Houston.

Issaquena; county. Indian word meaning, "deer river."

Itawamba; county, said to have been named for the daughter of a Chickasaw Indian chief.

Jacinto; village in Alcorn county. Spanish word meaning, "hyacinth."

Jackson; county, named for General Andrew Jackson.

Jasper; county, named for Sergeant Jasper of Fort Moultrie (S. C.) fame, killed in the siege of Savannah.

Jefferson; county, named for Thomas Jefferson, third President of the United States.

Jones; county, named for Commodore John Paul Jones.

Kemper; county, named for Colonel Reuben Kemper, an American soldier in the Florida and Mexican wars.

Knoxville; town in Franklin county, named by its Tennessee settlers from the town in their own State.

Kosciusko; town in Attala county, named for Tadeusz Kosciusko, the Polish patriot.

Kossuth; town in Alcorn county, named for Louis Kossuth, the Hungarian patriot.

Lafayette; county, named for Marquis de La Fayette, who served in the American army, during the Revolution.

Lamar; town in Benton county, named for the Honorable L. Q. C. Lamar, a former Secretary of the Interior.

Lauderdale; county and town in same county, named for Colonel James Lauderdale.

Laurel; town in Jones county, so named because of the dense laurel thickets growing within its limits.

Lawrence; county, named for James Lawrence, captain in the memorable battle with the British on Lake Erie.

Leake; county.
Leakesville; town in Greene county, named for the Honorable Walter Leake, an early Governor of Mississippi.

Lee; county, named for Robert E. Lee, commander of the armies of the Confederacy.

Leflore; county, named for Greenwood Leflore.

Lincoln; county, named for President Abraham Lincoln.

Louisville; town in Winston county, named for Colonel Louis Winston, a prominent early settler.

Love; town in DeSoto county, named for Colonel Love.

Lowndes; county named for William Jones Lowndes, member of Congress from South Carolina.

Lumberton; town in Pearl River county, so named on account of its principal industry.

McComb; town in Pike county, named for a former owner of the Mississippi Central Railroad.

McCool; town in Attala county, named for the Honorable James F. McCool.

McLaurin; village in Perry county, named for General McLaurin, first president of the Gulf and Ship Island Railroad.

Macon; town in Noxubee county, named for General Nathaniel Macon, United States Senator from North Carolina.

Madison; county, named for James Madison, fourth president of the United States.

Mahon; village in Marshall county, named for John Mahon.

Marion; county, named for General Francis Marion.

Marshall; county, named for Chief Justice John Marshall.

Martin; town in Claiborne county, named for General W. T. Martin, of Natchez, Mississippi.

Mayersville; town in Issaquena county, named for David Meyers, a large land owner.

Meadville; town in Franklin county, named for Cowles Meade, second Secretary of the Territory.

Montgomery; county, named for General Richard Montgomery, who was killed in the assault on Quebec.

Morton; village in Scott county, given the maiden name of the wife of Colonel E. W. Taylor.

Mound Bayou; town in Bolivar county, named for the Indian mounds on the bayou.

Myrtle; village in Union county, so named because of the abundance of myrtle trees in the vicinity.

Natchez; city in Adams county, named for the Indian tribe, the name meaning, "hurrying men," or "one running to war."

Nesbitt; town in DeSoto county, named for early settlers.

Neshoba; county. Indian word meaning, "grey wolf."

Nettleton; town in Lee county, named for a former vice-president of the Kansas City, Memphis and Birmingham Railroad.

Newton; county, named for Sir Isaac Newton.

Noxubee; county. Indian word meaning, "stinking water."

Oktibbeha; county. An Indian word meaning, "ice there in creek," or, according to another authority, "bloody water," because of the battles fought there between the Chickasaws and Choctaws.

Okolona; town in Chickasaw county. Indian word meaning, "much bent."

Oxford; city in Lafayette county, so named from the university town in England in anticipation of the subsequent choice of this place as the location of the State University.

Pachuta; town in Clarke county. A Choctaw Indian word meaning, "possum creek."

Panola; county. An Indian word meaning, "cotton."

Pascagoula; river, and town in Jackson county, named for an Indian tribe, the name meaning, "bread nation."

Paulding; town in Jasper county, named for John Paulding, who helped capture Major André.

Pearl; river.
Pearlington; town in Hancock county;
Pearl River; county, so named on account of the pearl fisheries which were early established by the French upon the above mentioned river.

Perry; county; named for Commodore Oliver Hazard Perry.

Pheba; village in Clay county, named for Mrs. Pheba Robinson.

Pickens; town in Holmes county, named for James Pickens, a land owner.

Pike; county, named for General Zebulon M. Pike, the explorer.

Pinckneyville; town in Wilkinson county, named for the celebrated Pinckney family of South Carolina.

Pittsboro; town in Calhoun county, named for an early settler.

Pontotoc; county and town in same county, named for a Chickasaw Indian chief, the word meaning, "weed prairie."

Poplarville; town in Pearl River county, named for "Popular" Jim Smith, owner of the store in which the first railroad depot at this point was located.

Potts Camp; town in Marshall county, named for Colonel E. F. Potts.

Prentiss; county, named for Sergeant Smith Prentiss, a gifted forensic orator.

Purvis; town in Marion county, named for the former owner of the railroad depot site.

Quitman; county, and town in Clarke county, named for General John A. Quitman, former Governor of Mississippi, and an officer of the Mexican War.

Raleigh; town in Smith county, named for Sir Walter Raleigh.

Rankin; county, named for Christopher Rankin, congressman from Mississippi.

Red Bank; town in Marshall county, so named because of the reddish appearance of the banks of the river upon which it is located.

Rienzi; town in Alcorn county, named for the Roman tribune.

Rodney; town in Jefferson county, named for Judge Rodney of the State.

Runnellsville; town in Madison county, named for a prominent family of the State.

Sallis; town in Attala county, named for Dr. James Sallis, the former owner of the town site.

Sardis; town in Panola county, named for the ruined city of Asia Minor.

Satartia; town in Yazoo county. Derived from an Indian word meaning, "pumpkin place."

Scooba; town in Kemper county. Indian word meaning, "reed brake."

Scott; county, named for Governor Abram M. Scott.

Scranton; town in Jackson county, named for the town in Pennsylvania.

Senatobia; creek, and town in Tate county. A Choctaw Indian word meaning, "white sycamore."

Sharkey; county, named for William L. Sharkey, provisional governor during Governor Clark's absence at Fort Pulaski in 1865-66.

Sharon; town in Madison county, so named because the Sharon seminary for girls was situated there at an early day.

Shaw; town in Bolivar county, named for the owner of the land through which the railroad passes.

Sidon; town in Leflore county, named for the ancient city of Palestine.

Simpson; county, named for Judge Josiah Simpson.

Smith; county, named for Major David Smith.

Starkville; town in Oktibbeha county, named for General John Stark of Revolutionary fame.

State Line; town in Wayne county, near the boundary line between Alabama and Mississippi.

Sunflower; county, named for the river, which was doubtless descriptively named.

Tallahatchie; county, named from the principal branch of the Yazoo river. An Indian word meaning, "river of the rock."

Tate; county, named for a prominent family of which T. S. Tate was a member.

Taylor; town in Lafayette county, named for an early settler.

Terry; town in Hinds county, named for "Old" Bill Terry, a resident.

Thornton; town in Holmes county, named for Dr. C. C. Thornton, a large land owner.

Tibee; creek. For derivation see *Oktibbeha.*

Tippah; county, named for the wife of Pontotoc, a Chickasaw Indian chief, the word meaning, "cut off."

Tishomingo; county, named for the king of the Chickasaw Indians, the name meaning, "warrior chief."

Tombigbee; river. Derived from the Indian, Itumbi-bikpe, coffin-makers."

Troy; city in Pontotoc county, named for the ancient city of Asia Minor.

Tunica; county and town in same county, named for the Indian tribe, the word meaning, "the people."

Union; county, named to express the sentiment now actuating the States.

Vaiden; town in Carroll county, said to have been named for Dr. Vaiden, a resident planter.

Vaughns; creek in Simpson county, named for an early settler.

Vicksburg; city in Warren county, named for Neivitt Vick, its founder.

Waco; town in Smith county, named for an Indian tribe, the name meaning, "heron."

Wall Hill; town in Marshall county, named for William Wall.

Walthall; town in Webster county, named for General Edward Walthall.

Warren; county, named for General Joseph Warren, officer of the Revolution, who fell at the battle of Bunker Hill.

Washington; county, named for General George Washington.

Waterford; town in Marshall county, so named on account of the volume of water contained in Spring creek at this point.

Water Valley; city in Yalobusha county, so named on account of the perpetual stream passing there.

Wayne; county;
Waynesboro; town in Wayne county, named for General Anthony Wayne, hero of the Revolution.

Webster; county, named for Daniel Webster, the statesman.

West Station; town in Holmes county, named for A. M. West, prominent citizen, president of the Mississippi Central Railroad.

Westville; town in Simpson county, named for Colonel Cato West.

Wilkinson; county, named for General James Wilkinson of Maryland.

Winona; town in Montgomery county. Indian word meaning, "first born daughter."

Winston; county, named for Colonel Louis Winston.

Yalobusha; county. Indian word meaning, "tadpole place."

Yazoo; county and river, named for a tribe of Indians, the name said to mean, "to blow on an instrument."

THE CATHOLIC CHURCH IN MISSISSIPPI DURING COLONIAL TIMES.

By B. J. Bekkers.[1]

In the month of December, 1540, De Soto entered the State of Mississippi, somewhere near the site of the present city of Columbus. For about five months he wandered through the wild woods of Mississippi, when he left the State to cross the mighty river, near where Memphis now stands.

It is an historical fact that several priests, secular and regular, accompanied the army of De Soto. They acted as chaplains to the soldiers, but their great number shows that it was their intention also to preach the Gospel to the natives. Did they hold Catholic services in the present State of Mississippi? Nobody can reasonably doubt, that already in 1540 mass was said on the soil of our State. We know the name of only one of those priests, Rev. John de Calleyas. Very likely they all perished while on that unfortunate and luckless expedition.

For more than a hundred years the Catholic church made no effort to reach this territory again and preach the Gospel to the Indians. In 1673 the Catholic priest again is seen in Mississippi; the famous Father Marquette came down from the Great Lakes and explored the Mississippi river as far down as the Arkansas river. But his voyage was more a trip of discovery and preparation; it is not likely that he made any serious effort to communicate with the Indian tribes of this State.

After the return of Father Marquette to Canada the Bishop of Quebec and many zealous priests were certainly anxious to reach the newly discovered regions and preach Christianity to those

[1] Rev. B. J. Bekkers was born at Dordrecht, Holland, June 18, 1844. After graduation at a seminary in the same country he was ordained a priest, August 15, 1868. He was engaged in the ministry of the diocese of Holland until September, 1882, at which time he removed to Natchez, Miss., Bishop Francis Yansens of that place being in need of priests for his diocese. The subject of this sketch then worked among the Choctaw Indians until the end of the year 1898. He is now pastor of the Catholic church at Meridian and honorary canon and dean of the eastern district of the diocese of Natchez.—Editor.

pagan nations. But the diocese of Quebec extended from Canada way down to the mouth of the Mississippi. Millions of pagans inhabited that territory. In Canada the missionaries were at work already; also in the territory north of the Ohio river. It is no wonder that after only twenty-five years, in 1698, the Bishop succeeded in making arrangements to evangelise the southern part of the Mississippi valley.

At that time the seminary of foreign missions at Paris in France had established a branch in Quebec, in order to train missionaries for the New World.

By letters of July 14, 1698, Bishop Saint Vallier entrusted the new southern missions to the priests of this seminary. Father Francis Jolliet de Montigny was appointed superior. Revs. Anthony Davion and Francis Buisson de Saint Cosme were his companions.

Father Montigny settled among the Taensas, a tribe allied to the Natchez. During the first year he baptized 85 children. Later he resided among the Natchez Indians, but attended still to the Taensas.

Father Davion built his chapel in the extreme southern part of our State, in what is now known as Wilkinson county. The spot where he settled now bears the name of Fort Adams. On a high rock he planted a cross; this rock was later called Loftus' Height, but went for a long time by the name of Davion's Rock. This father visited also the Yazoo Indians.

Father Saint Cosme began a mission at Tamarois. Later he took Father Montigny's place among the Natchez.

As was to be expected, those priests suffered at first terribly with fever; but they did not abandon their charges. The following year their number was increased by the arrival of Revs. Berzier Bouteville and Saint Cosme, a younger brother of the Father Saint Cosme mentioned above.

In 1699 the French took possession of another point of Mississippi. On the shore of Biloxi Bay, near to where Ocean Springs is situated, a fort was built by them. Rev. Father Bordenave was the chaplain of the garrison; according to the testimony of the military commander his life was exemplary; every day he said mass for the French settlers and was untiring in his zeal for the salvation of their souls. But we do not read that he attempted the conversion of the Indians.

The year 1702 witnessed the first massacre of a Catholic priest on the soil of Mississippi. Father Nic. Foncault, of the seminary of foreign missions, had been laboring for two years among the Arkansas Indians. He set out on a trip to Mobile with his servant and two Frenchmen. But they were all murdered by their Indian guides; robbery was the incentive of the assassination. Father Davion, coming up the river, discovered their remains on the bank, and gave them Christian burial. The place of interment is not known.

Five years later the mission lost again two priests. Father Saint Cosme, the elder, who had worked so faithfully among the Natchez, was forced by sickness to go to Mobile. While sleeping one night on the banks of the river, he was foully murdered by the Sitimachas, near the present site of Donaldsonville. The very Rev. Father Berzier started about the same time for Mobile from his Tamarois mission. He reached that point safely, and brought the sad news of the death of Father Saint Cosme. He returned to his missions, but soon after that he fell sick and died on November 9, 1707.

In 1708 Father Davion was, at the instigation of the English, so harassed by hostile Indians, that he was forced to leave his mission in Mississippi. He went to Mobile.

The difficulties in the Mississippi mission were great, and the laborers few; the work of the Quebec priests had produced but little result. An effort was made to revive the missions. The seminary of foreign missions at Paris selected the Rev. Dominic Mary Varlet, a very able and energetic man, to make a visitation of all those missions. He began his visitation at Quebec, where the Bishop appointed him his vicar-general with full powers. He spent six years in the missions, and returned to France in 1717. But history does not mention the good his visitation did to the missions.

But soon a change would take place in the management of the missions. The Duke of Orleans, regent of France for King Louis XV., who was not of age yet, gave letters patent to a trading company called "The Company of the West," of which the notorious John Law was the head, at least for a few years. In article 53 of the contract the company obligated itself "to build at its expense churches at the places where settlements were formed;

to maintain there the necessary number of approved ecclesiastics, in order to preach the holy Gospel there, perform divine service and administer the sacraments." In 1722 the company took up the matter. The year before the Jesuit Father Charlevoix had travelled through the French colonies in North America (he officiated also at Natchez) and after his return in France had told of the great spiritual destitution of the colony. In consequence of his report the following measures were taken by the company: The Jesuit fathers and the priests of the seminary of foreign missions would withdraw from the southern part of the Mississippi valley and confine their labors to the territory north of the Ohio. The Bishop of Quebec would remain the Bishop of the entire French colony, but would be given a coadjutor bishop, who, as vicar-general of the diocese of Quebec, would take special care of the extreme southern missions. Rev. Louis Francis Duplessis de Mornay, a Capuchin monk, was appointed coadjutor bishop of Quebec, and he invited the Capuchin fathers of the Province of Champagne in France to take charge of the missions of Louisiana, of which Mississippi formed a part. They accepted, and some Capuchin fathers arrived in Louisiana; but their number was small, and soon they found out that they did not have a sufficient number of subjects to take proper care of the missions. The company made a new arrangement: The Capuchin fathers would take charge only of the French settlements, and Jesuit fathers from France would be entrusted with the missions among the Indians.

As far as Mississippi is concerned the following appointments were made:

The Capuchin Father Philibert was assigned to duty at Natchez.

The Jesuit fathers were sent to the Indian missions: Father Matturin le Petit to the Choctaws; Father Souel to the Yazoos; Father Bandouin to the Chickasaws. Later Father le Petit was recalled to New Orleans, and Father Baudouin took his place among the Choctaws, where he labored for 18 years, assisted for some time by Father Lefévre.

Those fathers worked very zealously in their different missions. A naval officer of this period says of them:

"I cannot help doing the justice due to the Jesuit fathers in regard to their missions. Nothing is more edifying for religion than their conduct and the unwearied zeal with which they labor for the conversion of these nations. Picture to yourself a Jesuit, four hundred leagues away in the woods, with no conveniences, no provisions, and most frequently with no resource but the liberality of people who know not God, compelled to live like them, to pass whole years without receiving any tidings, with savages who have only the countenance of human beings, among whom, instead of finding society or relief in sickness, he is only exposed to perish and be massacred. This is done daily by these Fathers in Louisiana and Canada."

In the year 1729 a great calamity happened to the missions. The French commander at Fort Rosalie (Natchez) did not treat the Natchez Indians fairly. They became dissatisfied and angry and entered into a conspiracy with the Yazoo Indians to exterminate all the French in the country. On the 26th of November the horrible massacre of Fort Rosalie took place; all the men, soldiers and settlers, were killed, the women and children carried off in captivity. The priest Father Philibert happened to be away from home. But the Jesuit Father du Poisson was stopping at Natchez; he was on his way from his mission in Arkansas to New Orleans. On Sunday he said mass for the Natchez people and preached to them. He was prevailed on to stay a day longer, because some Catholic was in danger of dying. On Monday after mass he started out for the house of the sick person, to give him the last sacraments. On the way he was assaulted by a powerful Indian, hurled to the ground, and his head was severed from his body.

The Yazoo Indians did their part. On December 11 Father Seoul came home from some trip. The Indians ambushed themselves, and when he appeared riddled his body with bullets, killing him on the spot. The following day they surprised and massacred the garrison of the French post. Another priest, Father Doutrelou, was shot at by the Yazoos and severely wounded, but he made his escape.

This insurrection was of course followed by wars between the whites and Indians. The Natchez tribe was punished and exterminated. In 1736 an expedition against the Chickasaws was set on foot. French divisions would march from north and south and after meeting attack the Chickasaws. The arrangement miscarried. The northern division tried by itself to fight the whole force of the Chickasaws; they lost the battle and were annihilated.

Father Lenat, a Jesuit, accompanied the army as chaplain. He could have escaped, but the commander and other officers had been taken prisoners, and he would not abandon them in their last hour. He remained to give them his spiritual assistance in their agony, and he perished with them at the stake. This probably happened in what is now Lee county.

But the misfortunes of the missions were not yet at an end. In 1763 they received another terrible blow. In France itself the government was in the hands of men, Catholics in name, but Voltaireans and infidels at heart. They began to persecute the Catholic church, and as usual, the Jesuit fathers were the first victims. Their order was suppressed in 1761. Two years later the supreme council of the province of Louisiana thought they had to follow the example given in France: All the Jesuit missionaries were hunted down, carried to New Orleans as criminals and shipped to France. All their churches and chapels were leveled to the ground, and of course all that was valuable in church or house was confiscated. And the missions were left bereft of their zealous shepherds.

In the meantime war had been going on between England and France. France lost all her colonies in North America, New Orleans and surrounding territory excepted. Mississippi was now a part of the English province of West Florida, and the missions, tried already so sorely, had no chance of being revived under the rule of that nation, who still enforced the penal laws against Catholics in the old country. By special treaty France ceded New Orleans to Spain.

During the glorious war of the thirteen American colonies against England, France materially assisted the Americans in their struggle for liberty. For this reason England declared war against France; and Spain, wanting to assist France, declared war against England. At that time Bernardo de Galvez was Governor of New Orleans, and began to fight England in the West Florida province. His success was complete; in 1781 the English commander surrendered the whole province to Spain. After peace was concluded though, the United States claimed the province as territory ceded by England to them. In 1795, October 27, by treaty between the United States and Spain, the province of West Florida, and with it Mississippi, became a part of the Union.

As might be expected, as soon as Spain had conquered West

Florida, measures were taken to reëstablish the Catholic religion, though the government granted liberty of conscience. Claiborne states:

"There was in fact more toleration and freedom for Protestantism in the Natchez district, than for Catholics and dissenters either in Old or New England."

The Bishop of Salamanca was instructed to send missionaries to the new colony. Four Irish priests were selected for the work: Revs. Wm. Savage, Gregory White, Constantine McKenna and Michael Lamport. They arrived in Natchez before 1790, but when the province was ceded to the United States they returned to Spain; and once more the Catholic church in Mississippi was left without priests.

This brings us to the end of the colonial times. For nearly a century missionaries had labored in Mississippi, and, it is sad to say, nothing had been accomplished. The reasons for this failure are many.

The instruction and conversion of Indians are difficult tasks, even under favorable circumstances. But during all that time the country was continually in an unsettled condition. Three European powers, England, France and Spain, were always fighting to get the mastery in the American colonies. They sought and obtained the help of the different Indian tribes, and were the cause of fierce quarrels and petty wars among the natives. Moreover, France, especially, followed the rule that anything was good enough for the Louisiana colony. Soldiers were needed, settlers wanted, but inmates of workhouses, criminals, worthless women, all who were low and vicious, were shipped to the colonies; those people remained in the colonies what they had been in France, and by their wicked and vicious lives undid all the work the missionaries had accomplished. Another cause of failure was this: The southern part of the French colonies always was under the jurisdiction of a Bishop living thousands of miles away. Nobody is to blame if these missions were more or less neglected, and the few scattered missionaries had not the proper moral support of the church authorities. All those things taken together made the work of the missionaries a failure. But if we cannot exult on account of great successes, we certainly are bound to admire those devoted men who, for a hundred years, kept up a heroic and hopeless struggle to establish Christianity in our State.

ROBERT J. WALKER.

By George J. Leftwich.[1]

The settlement of the State of Mississippi progressed somewhat differently from that of any other territory of the United States. That of every other State followed the general trend of civilization from the East, whence came all our forefathers, driving the wilderness before them toward the West. There being no railroads, the Mississippi river and its tributaries rendered its banks accessible long before the vast domain inhabited by fierce Indian tribes, between the eastern bank and the colony of Georgia—now eastern Mississippi and Alabama—was penetrated by the white man. Floating down the Tennessee, Ohio, and Cumberland on rafts, sailing up from the mouth through Louisiana Territory, or by the more usual route, through the Gulf of Mexico, thence into Lakes Ponchartrain and Maurepas, and through Manchac Pass into the great highway farther up, the early settlers made their homes on the bluffs at Natchez and Vicksburg. From the vantage ground there gained, reënforced by constantly increasing numbers, they fought their way east till the oncoming tide of civiliza-

[1] George J. Leftwich belongs to the Leftwich family of Bedford county, Va. His great-grandfather, Col. Jabez Leftwich, commanded a regiment under his brother, Gen. Joel Leftwich, in the War of 1812. Col. Leftwich was afterwards a member of Congress from Virginia. The grandmother of the subject of this sketch was a member of the Early family, which was also distinguished in the annals of Virginia. She was a niece of Bishop John Early and a kinswoman of Gen. Jubal A. Early. The grandparents of Mr. Leftwich settled in Montgomery county, Va., where his father grew up and died. After completing his high school education in Virginia, Mr. Leftwich spent two years at the National Normal University of Lebanon, Ohio. He then became principal of the high school in Grayville, Ill. A year later he accepted a similar position in the high school at Carthage, Miss., which position he held five years. In the meantime he pursued a private course of reading in law. After taking courses of lectures in law at the University of Virginia and Cornell University, he entered upon the practice of his profession at Aberdeen, Miss. Although Mr. Leftwich has a large and lucrative practice he finds time to contribute to the columns of the papers and periodicals. His writings are principally on historical and biographical subjects. His contributions appear from time to time in the *Methodist Review* (Nashville), *The Green Bag* (Boston), *The Commercial Appeal* (Memphis), and the *Christian Advocate* (Nashville).—Editor.

tion from the Atlantic coast was met. Hence it follows that Mississippi was organized both as a State and a Territory in advance of Alabama. The same trend of forces prevailed till the day of railroads. The first track was laid from the city of Vicksburg to Jackson, the later but not the first capital

A further comment is in place in reference to the settlement of Mississippi that cannot be said of any other State of this Union. The type of her citizenship is more composite and less provincial than that of any other State, perhaps. This statement is made possible by the same natural causes—its early accessibility by great waterways to widely scattered classes of settlers. Pennsylvanians, Tennesseeans, West Virginians, Kentuckians, came down from the upper tributaries. The New England Puritans, the Virginia Cavaliers, the New Jersey Presbyterians, the Maryland Catholics, the South Carolina Huguenots, and the Georgians, all followed the coast around through the Gulf of Mexico and settled on the same soil, where they were joined in large numbers by the French and Spanish from Louisiana and Florida. These heterogeneous forces amalgamated, and from them sprang a people that have remained homogeneous to this day. In the first constitutional convention more delegates claimed their nativity from the two States of Pennsylvania and North Carolina than any other State except Virginia.

These hardy pioneers were the most daring and ofttimes the most cultured of their race. They were not the unsteady movers who drift from State to State, often for their country's good. For intelligence, education, courage and Christian virtues, the leaders of thought and action in the early settlement of Mississippi cannot be surpassed by any equal body of men in this land.

The fact that Robert J. Walker really lived in Mississippi only nine years of his life—from 1826 till elected to the Senate of the United States in 1835—partially accounts for the little that is known here of his personal history and of his distinguished career as a creative statesman.

A large and influential colony of Pennsylvanians had preceded him to Natchez. Among them was his brother, Duncan S. Walker, a successful lawyer, who was associated in the practice of law with Judge Edward Turner. When Turner became a

Supreme Judge the vacancy in the firm was filled by Robert J. Walker, who had already won for himself a name in Pittsburg. His father, Judge Jonathan Hoge Walker, was a revolutionary patriot. Having had a distinguished career on the bench of his State, he received from President Monroe an appointment as United States District Judge of the Western District of Pennsylvania. Broken in health, he retired from the bench and removed to Natchez, at which place he died in 1824. His mother and a sister, who became the wife of Hon. Stephen Minor, of Louisiana, accompanied him. Wm. Walker, the grand-father of Robert J., emigrated to Pennsylvania from England about 1710.

The brief sketches in the encyclopedias give the name of Mr. Walker as Robert James. A member of his family says his name was Robert John, given him after two uncles, brothers of his mother, Mary Duncan. He was educated under the direction of his father and graduated with highest honors at the University of Pennsylvania when only eighteen years of age. He was a most excellent scholar, a master of several of the ancient and modern languages, and well informed in many branches of learning. Strange to say he was given to writing verses in his early career. He was said to have studied medicine.

By his marriage with Mary Blechenden Bache, a great-granddaughter of Benjamin Franklin and a granddaughter of A. J. Dallas, Secretary of the Treasury under President Monroe, he connected himself with one of the most noted and aristocratic families of his State. He was born in Northumberland, and with his father he removed to Pittsburg, where he was admitted to the bar and spent several years in the practice of his profession.

He had eight children, the oldest of whom, Gen. Duncan S. Walker, lives now in New York. One of his daughters became the wife of Benjamin H. Brewster, President Arthur's Attorney-General. Another married Gen. Wm. Cook. In religion the family were first Cameronians and later Episcopalians.

In physique Mr. Walker was stooping and diminutive, weighing only ninety to one hundred pounds, but well proportioned. He was reputed to have been very beautiful as a child. He was most versatile and attractive in conversation. A subject was rarely broached of which he was entirely ignorant. He was quick tempered and pugnacious, as some of the quotations hereafter

given pointedly show. Being a great speculator, he dealt largely in lands when he first came to Mississippi. Mr. Clairborne charges him with paying for the investments in depreciated currency. His speculations left him a bankrupt about the time of the removal of the deposits by President Jackson. He became chief officer of a company projected to build a transcontinental railroad in the early fifties, for which the promoters were to have vast quantities of Texas lands. This enterprise was dubbed a stock-jobbing scheme and damaged Mr. Walker in reputation. He later was interested in what is known as the Almedon Quicksilver mine litigation before the Supreme Court of the United States. It was in this litigation that he became involved in a personal controversy with Judge Jerry S. Black, Mr. Buchanan's Attorney-General. He considered some statement of Judge Black a reflection upon him and challenged him. Although he died broken in fortune, he is reputed to have realized almost half a million dollars from this litigation.

Mr. Walker was remarkable for his precocity. Although he graduated at eighteen, he was president of his college fraternity and salutatorian of his class. Admitted to the Pittsburg bar at twenty he was a member of the State Democratic committee of Pennsylvania at twenty-one, and chairman of the same committee at twenty-two. At the age of twenty-three he claimed the distinction of bringing Gen. Jackson before the country for president. He came to Mississippi in 1826, when twenty-five years old. Nine years thereafter he defeated, for the Senate of the United States, George Poindexter, whom Col. Clairborne pronounces the ablest man that ever lived in the State. In that great body, distinguished by the presence of Clay, Webster, Calhoun, and Benton, he was almost immediately made chairman of the Committee on Public Lands, and thenceforward became one of the greatest constructive statesmen of his time and of his country. He remained in the Senate from December, 1835, till March 3, 1845. Senator Poindexter had been a dominating force in Mississippi politics for many years, but had made himself obnoxious to some citizens of the State by "going over to Biddle and the Bank," in the common parlance of that day. Many aspired to succeed him, but the main question was who could meet him on the stump.

Judge Robert H. Adams, of Natchez, and Wm. M. Gwin settled upon Robert J. Walker as the one man equal to the task. Walker had not taken a prominent part in politics since his removal to Mississippi and was not widely known in the State, but his astute solicitors relied on his intellect and his resources. While formerly orthodox on the bank question, he too had grown skeptical after the removal of the deposits and after the financial reverses which followed that action. The resourceful Gwin produced, however, a letter of endorsement from President Jackson, which it is charged was really written by himself and copied and signed by A. J. Donelson, the president's private secretary. Another difficulty before the masses was that Walker came from Natchez, the center of wealth and aristocracy. But that obstacle was at once removed by his purchase of and removal to a plantation on Pearl river in Madison county. The canvass was fast and furious and Walker sometimes weakened, but his wavering spirits were always revived by the onslaughts of his faithful lieutenant, Henry S. Foote. Poindexter's health disabled him. The election was exceedingly close, but Walker succeeded.

In his canvass for his second term Sergeant S. Prentiss was his adversary. When Prentiss, a struggling young teacher, first came to Mississippi, Walker had opened his library to him; now they were contending for a great office before the people. Prentiss was several years his junior and the greatest orator of his time, but he fared as did Poindexter, being defeated by the little magician. In this canvass Prentiss and the Whigs were for the payment of the bonds issued by the State, Walker and the Democrats were silent on that subject and clung to national issues.

Senator Walker's connection with the public lands, by virtue of his chairmanship of that committee, no doubt suggested to him the first Homestead Bill, which he unsuccessfully brought forward in 1836. The Preëmption Act which he originated in 1841 became a law in 1844. The provisions of this bill were simple, being merely to secure the privilege of first purchase to the settler on any lands to which the Indian title had been extinguished. The provisions for the disposal of these public lands have been far reaching in importance in the settlement of the West and the South. They encouraged the establishment of homes and the opening up of the country by permanent settlers. A recent ex-

emplification of the preëmption act is called to mind by the massing of thousands of eager home-seekers on the Oklahoma border, and by the "sooner" litigation that has made the territorial courts groan with labor.

A quotation from a speech of Senator Walker's made in 1836, while chairman of the Committee on Public Lands, may illustrate his style and character and at the same time give a pleasant aroma of by-gone days. The question before the Senate was whether the government should continue the receipt of bank notes for the public lands and other dues. The question arose on a bill reported by the Committee on Public Lands. Senator Benton, who was a hard money man, assailed the committee's action with great vehemence. He was unwilling to substitute the dominion of many small and irresponsible State banks for that of the Bank of the United States, which had just been abolished. He was in favor of paying the dues of the government in specie. An excerpt from the proceedings of Congress contains the following reply of Senator Walker:

"Sir, being deeply solicitous to preserve unbroken the ranks of the Democratic party in this body, participating with the people in grateful recollection of the distinguished services rendered by the Senator from Missouri to the Democracy of the Union, he would pass by many of the remarks made by that Senator on this subject."

"Mr. Benton here rose from his chair, and demanded with much warmth that Mr. Walker should not pass by one of them. Mr. Walker asked, 'What one?' Mr. Benton replied, in an angry tone, 'Not one, sir.' Then Mr. Walker said he would examine them all, and in a spirit of perfect freedom; that he would endeavor to return blow for blow; and that, if the Senator from Missouri desired, as it appeared he did, an angry controversy with him, in all its consequences, in and out of this house, he could be gratified."

His eloquent, yet tart peroration was as follows:

"Yes, even then he would have passed lightly over the ashes of the theories of the honorable Senator, for, if he desired to make assault upon any, it would be upon the living, and not the dead; but that Senator, in the opening of his address, had rejected the olive branch which, upon the urgent solicitation of mutual friends, against his own judgment, he had extended to the honorable Senator. The Senator from Missouri had thus, in substance, declared his 'voice was still for war.' Be it so; but he hoped the Senate would all recollect that he was not the aggressor; and that, whilst he trusted he never would wantonly assail the feelings or reputation of any Senator, he thanked God that he was not so abject or degraded as to submit, with impunity, to unprovoked attacks or unfounded accusations from any quarter. Could he thus submit, he would be unfit to represent the noble, generous and gallant people, whose rights and interests it was his pride and glory to endeavor to protect, whose honor

and character was dearer to him than life itself, and should never be tarnished by any act of his, as one of their humble representatives upon this floor."

Nothing could better illustrate the pugnacity of Mr. Walker than this speech, when it is remembered that he was young both in years and experience and insignificant in personal appearance and when his antagonist was the great and pompous Senator from Missouri.

The recognition of the independence of Texas by Congress and her admission into the sisterhood of States were favorite measures of the Mississippi Senator. A few months after entering the Senate he called attention to the struggle of Texas. Later he introduced a resolution recommending the use of any surplus in the Treasury to acquire Texas. "Sir," said he addressing the Senate, "the people of the Mississippi Valley could never have permitted Santa Anna and his myrmadons to retain the dominion of Texas." In 1844 he had been nominated for the Vice-Presidency by the Democracy of Mississippi and was called upon by the people of Carroll county, Kentucky, to express his views on the admission of the State of Texas into the Union. In reply he wrote his famous "Texas letter," which in a large degree formed the basis of the policy on which Texas was later admitted. His recommendation as to slavery, however, was not accepted. He was a slave-holder himself. He defended slavery with much zeal in the Senate. In his first canvass for the Senate he precipitated the abolition of slavery as an issue for the first time in the South. Yet in his "Texas letter" he favored the gradual abolition of slavery as a condition of her admission into the Union. It was his theory to make Texas a free State and use her as a safety-valve to relieve the South of the Negro and the slavery question. He argued that climatic and other favorable conditions would attract the Negro and he would pass into Texas thence into Mexico, where his color would be no bar to his education and prosperity.

The ambassadors from Texas solicited his bust to adorn the capital of the State. This was the beautiful reply:

"In my own name and for my poor services I could not accept your proposition. It was as a representative of the people of Mississippi that I moved and advocated in consonance with my own feelings and judgment the recognition of your independence. My name must soon be forgotten

in connection with this or any other transaction but be it long remembered that it was a representative of the State of Mississippi, who, in the hour of your deepest gloom and danger, predicted your success, when not a voice in Congress had been raised in your behalf."

In the great war waged by Andrew Jackson against the Bank of the United States, Walker stood with the President and ably advocated the Independent Treasury Bill which was but the corollary of the overthrow of the bank. That bill in short was for the keeping of the government moneys by the government's own officers. It was charged and believed that Mr. Walker inspired the veto by President Tyler of the bill rechartering the bank, by which he broke with his own party, rather the party that elected him. Certain it is that Senator Walker had the ear of Mr. Tyler, although many things were accredited to his prolific brain which he did not do or suggest.

As a reward for his successful services in the nomination and election of Mr. Polk, Walker was slated for Attorney-General by the president-elect. He wanted the treasury portfolio and brought such influences to bear that the prearranged slate was broken and he was named for that place and became one of the most efficient and able financiers the government has ever known. His career as Secretary of the Treasury marks an epoch in the management and direction of the nation's revenues. William L. Marcy was Secretary of State in that administration, and he and Secretary Walker were constant antagonists. They overshadowed the President and the remainder of the cabinet. Walker's elaborate and able treasury reports so won the admiration of the English government that they were printed by Parliament at the public expense, for the instruction of English political economists and statesmen. His low tariff views were doubtless never unattractive to British statesmen. While preparing these great reports it is said that he often worked literally all night surrounded by clerks and helpers, eating a scanty meal and refusing to go home. He was the author of the Tariff Bill of 1846, which became the model system of tariff for revenue. He was also the originator of the warehousing system which was adopted the same year and which greatly enlarged and facilitated trade with other nations. This system is now exemplified in bonded warehouses that obtain at the ports of entry and in the collection of revenue on distilled

spirits. The views of Secretary Walker on the tariff received the endorsement of a great majority of the people of the United States and became the model and basis for all tariff measures until the necessity for war revenue was created by the war between the States.

His tariff bill was founded on a graduated scale of ad valorem duties running from 100 per cent on spirituous liquors down to a large free schedule, all regulated to suit the needs of the revenue, and to encourage manufactures, where permissible, with rates so classified as never to oppress the people or build up one class at the expense of another. Great prosperity followed its enactment and it has received the unstinted praise of such statesmen and revenue reformers as Jno. G. Carlisle, L. Q. C. Lamar, and Grover Cleveland.

When Mr. Walker's great report on the ware-housing system was made on February 22, 1847, 10,000 copies in addition to the usual number were ordered to be printed. The following is an extract from this report:

"With enduring peace; with extended area, industry and population; with an enlarging trade, internal and external, and increasing facilities of navigation and transportation on the lakes and rivers, the ocean and the land; with a career marked by a spirit of equity and justice, our future advance must be more rapid even than the past. Nor should we regard only the advantages to ourselves from our national union, as a moral and political necessity which no human power can destroy; but consider also its effects as a light and example to all nations; and as ultimately destined to extend its benefits and blessings to every country and people of the globe.

"To accomplish these great objects our ever extending internal and international commerce and intercourse are indispensable; and even if interrupted for a brief period would be sure to return with triumph of truth in augmented form and power."

When Franklin Pierce was elected president he offered Mr. Walker the China mission with the title of "Commissioner," and in response to a request by the cabinet he prepared a statement as to the needs and policy of this government in that quarter of the globe. That paper found its way into the hands of the British government where it was pronounced the most statesman-like document ever penned on the Chinese question. Private reasons intervened to prevent his departure to China. Four years later when appointed Governor of Kansas by President Buchanan, the great delay between his appointment and departure for Kansas

was believed to have been caused by the renewed efforts of English statesmen to have him sent as minister to China.

Mr. Walker aspired to be Buchanan's Secretary of State and the Senate petitioned the president-elect to give him the first place at his council table—a very remarkable encomium in itself. The bachelor president saw it otherwise and made him Governor of Kansas and thereby dug his political grave. When speaking of his appointment in 1857, Harper's *Weekly* indulged in prophesy and said:

> "Mr. Walker may in fact be regarded as the foster-father of Texas; may he be equally fortunate with Kansas. He is in the prime of life, just fifty-six, he can afford to disdain the promptings of mere ephemeral ambition; his fortune, we presume is ample; his fame is catholic. Let us suppose that he succeeds in pacifying Kansas and piloting it into the Union on terms which will coincide with public anticipations and which alone are consistent with the meridians of the Territory. Let us assume that he will put an end to the sempiternal squabbles of the Free-State men and the Pro-Slavery men, armed invaders, and border ruffians, Sharp's rifles from the East and bowie knives from the West, and let us contemplate him—this great work achieved, and the State of Kansas fairly enrolled among the proud Commonwealths of America—turning his energies to the next great difficulty which may beset the republic, and grappling with it in his bold way. What reward would be too high for such a man."

Gov. Geary, like several of his predecessors, had resigned in disgust. Frederick K. P. Stanton, of Tennessee, was made Secretary of the Territory. In his letter of acceptance he gave it out that the president and cabinet concurred with him in the opinion that the actual and bona fide residents of Kansas, by a fair and regular vote, unaffected by fraud or violence, must be permitted in forming the State constitution to decide for themselves what shall be their social institutions. Lecompton, the capital at time, was pro-slavery; Lawrence, ten or twelve miles away, was violently for the abolition of slavery. Calhoun, the pro-slavery surveyor-general, led the pro-slavery Democrats. Such political chaos, such a bedlam of discordant notes, such a volcanic eruption, as the little statesman garlanded with prophesy fell amidst, was never known before nor since except during the French Revolution. The new governor prepared and read his inaugural address at Lecompton. Among other things he thought the climate of Kansas was unfavorable to slavery. He reiterated the statements of his letter of acceptance. One McLean, a pro-slavery leader,

cried out, "And do you come here to rule over us, you, a miserable pigmy like you. You come here with your ears erect but you will leave with your tail between your legs, Walker; we have unmade governors before, and I tell you we can unmake governors again." "A hell of a governor he is," shouted another. When the governor refused to send a posse to catch the supposed murderer of a man who afterwards turned up unharmed, McLean burst forth again with oaths to his face: "Do you come here expressly to balk us always? Has Buchanan sent you to Lecompton to defy us? Are these your instructions? Look out! and let your master at Washington look out too!"

The angry national controversy over the Lecompton constitution and its merits and demerits cannot be gone over here. President Buchanan came out for it and Governor Walker resigned, as he was compelled to do, to be consistent.

Governor Walker and Secretary Stanton threw out the returns of the election from certain towns, and one of the candidates defeated thereby attempted to get his credentials from Secretary Stanton by force. Other outrages disturbed and excited the governor and, as recounted by State Historian Spring, he armed himself with a "pepper box" pistol and began a tour of objurgation. "Let us go to see the bengal tigers," said he, to Secretary Stanton. Taking his "pepper box" he visited the drinking saloons and political dens and hiding places of Lecompton and poured forth upon the heads of the cowering offenders such a tirade of cursing, abuse, and denunciation as was never heard before. He saw the "bengal tigers" for once described in fitting terms. Whether the withering oaths of this puny Timon of Athens provoked ridicule or fear is not known. But the governor as a statesman of fair name was no more. His presidential aspirations were killed to the roots. Both sides of the awful controversy spewed him out of their mouths. He pleased nobody. No governor who attempted to do right could please many in that frightful day. He was trampled upon in this fierce war dance of the wild red man just before the battle. He was lost as a political factor of the nation and to the party forever.

During the early part of the War between the States, when the Confederacy promised to have supremacy, the Federal Government's finances were in great straits. Two points were sought to

be gained in Europe; first, the credit of the United States Government was to be strengthened, and, secondly, the financial resources of the Confederate States destroyed and European loans prevented. Walker was the best known of all American statesmen in Europe. Secretary Seward suggested his name as financial agent of the United States government in Europe, and thither he was sent. He did his work well. He went about in great state with a large retinue at his heels. There he spent, as is believed, a large part of his fortune. He was so embittered toward the Republican party that he would accept no salary, only his expenses. He negotiated a loan to the Federal Government of $250,000,000 and effectually prevented the Confederate States from receiving a loan at all. He forgot in his zeal all the honors heaped upon him by Mississippi. He exploited the so-called repudiation by her of the Union and Planter's Bank bonds to the hurt of the entire Confederacy. He charged Mississippi with repudiation and thus stigmatized Jefferson Davis, a Mississippian, the president of the Confederacy. Mr. Walker, a Senator of Mississippi, sang a different song from Mr. Walker, financial agent in Europe. But he went as an attorney with a brief for his client, as a partisan, and right ably did he speed his cause. No more effectual strokes were made by any other man. With one stroke he both fed the Union and starved the Confederate armies.

It might not be uninteresting to note that at this time he was engaged in a literary venture, being owner and editor of the *Continental Monthly,* of New York. He purchased this magazine as the mouth-piece of the political and financial views of himself and others. Disowned by his own party and refusing to join the Republicans he sought vindication in the public prints. This magazine was edited during the eighteen months Mr. Walker was in Europe by his sister, Mrs. Cook, though it was not known that a woman was at the helm at the time.

Mr. Walker with his many other accomplishments was a great lawyer. During his whole life when diverted for a time, as he so often was by public office, he at once returned to the practice of his chosen profession when free to do so. Its atmosphere suited him. The fecundity of his intellect never showed to better effect than when practicing at the bar. His resourcefulness, his nimbleness of mind, his great stores of personal knowledge, his energy, tirelessness and pugnacity altogether made him a great advocate.

He was profound in knowledge of the law as a science and in its application to the settlement of disputes among men. His selection by President Polk as attorney-general is adequate proof, if any were needed, of his established reputation as a lawyer. He reported the first volume of decisions of the first supreme judicial court of Mississippi. This volume contains the decisions from 1818 till 1832. It would not rank with the best work of skilled reporters of to-day in arrangement, but the points decided are accurately stated in the syllabli. The records were poorly kept and preserved. Mr. Walker even then shows his independence of judgment by several times taking issue with the court in learned footnotes. The reported cases disclose that along with his brother he had an extensive practice in that court from the start. His long residence in Washington and his wide reputation afforded him considerable practice before the Supreme Court of the United States.

He died in Washington in 1869, somewhat dissipated and broken in fortune. His country's internal strife had thoroughly wrecked his political fortunes. Having been a leading Democrat with something like dictatorial power for many years, he abandoned his own party and was abandoned by it. He supported Mr. Lincoln at the time of his reëlection, for his country's good as he saw it, but never espoused or endorsed the leading tenets of the Republican party and disowned allegiance to it. Amidst the warring elements of partisan strife he was a stranger in a strange land and so he died. His memory has never been cherished as his works deserve. The children of the State which so honored him and which he so honored barely know his name. Few statesmen in the history of the nation have done it more effective service or have wrought more lasting good. The unadorned huts of the hardy home seekers on the frontier are monuments in some measure to him. Fittingly may he be called the foster father of the empire of Texas. The merchant who carries his imported stock in bond does tribute to him. His thought and work are an unending rebuke to tariff laws which tax the poor to protect the rich. The government's financial system would be less excellent but for his wisdom and discernment.

His fame as a statesman will be fairer when all trace of war memories is gone and when his deeds are viewed in the dry light of history.



STORY OF THE TREATY OF DANCING RABBIT.[1]

By H. S. Halbert.[2]

The treaty ground of Dancing Rabbit, using this term in a very general sense so as to embrace both the camping ground and the council ground proper where the treaty was made and signed, is in Noxubee county and is situated between the two prongs of Dancing Rabbit creek, the larger or eastern prong being now locally known as Big Rabbit, the western as Little Rabbit. The council ground proper is situated in the northwest quarter of section 3, township 13, range 15, east. In this quarter section, in the fork between the old Somerville and the Shuqualak road, is situated the well known Dancing Rabbit spring. To locate the place where the treaty was made and signed, take the spring as a starting place, draw a line thence due west to a point about one hundred yards distant, crossing the Somerville road, and thence from the terminus of this one hundred yards line, draw another line due north about twelve or fifteen yards, where the hill slopes gently west and northwest towards Little Rabbit. This is approximately the spot where the treaty of Dancing Rabbit was made and signed. It is now embraced in an old waste field.

Mr. J. L. Higginbotham, now in his seventy-fifth year, has lived near the treaty ground ever since 1835, and is perhaps the best living authority for the site of the Choctaw council ground where the treaty was made. Mr. Higginbotham's information rests upon the statements of two pioneer settlers of Noxubee county, both of whom were present during all the negotiations at Dancing Rabbit and were eye-witnesses to the signing of the treaty. One of these witnesses was Mr. Hilcar Burwell, who was one of the first settlers of Mashulaville; the other was Mr.

[1] Dancing Rabbit Creek is not the exact translation of the creek on which the notable treaty was made,—"Chukfi ahihla bok," the literal translation of which is *Rabbit-there-dances Creek*, that is, creek where the rabbit dances. "Chukfi," *rabbit*, "a," the locative preposition prefixed to the verb "hihla," *to dance*.

[2] A biographical sketch of Mr. H. S. Halbert will be found in the *Publications of the Mississippi Historical Society*, Vol. III., p. 353.—Editor.

G. W. Campbell, whom the writer knew well, and who died at his residence near Shuqualak, in 1888. Mr. Higginbotham states that these two men had frequently pointed out to him the place described above as the spot where the treaty of Dancing Rabbit was made and signed.

Mr. Higginbotham makes the additional statement that his brother-in-law, Lorenzo Thomas, in 1849, built a split log cabin, with a chimney to the south, on the very spot of ground where the treaty was made. This cabin has long since disappeared, but if by close search some traces of the old chimney site could be discovered, it would give us almost the exact spot of the signing of the treaty.

The location of the council ground is incorrectly given in the *Mississippi School Report* of 1893-1895, missing the true location by at least one hundred yards or more. Let the above location correct that error.

There was a council house on the treaty ground, but it seems not to have been used. There is some uncertainty as to its location. On LaTourrette's map it is located on the east side of the Somerville road, apparently a short distance northwest of the spring. Joe Jones' recollection, which we prefer, is that the council house was a very short distance north of the council ground.

At the time of the treaty all the area between the two Rabbits was an open forest, with no underbrush, as was the case in all Indian countries in the olden time, owing to the periodical custom of firing the woods, so as to destroy the undergrowth and produce a luxuriant growth of native grasses. The council ground, where the treaty was made and signed, was well shaded with pines, oaks, and mulberry trees.

The Dancing Rabbit country was a famous hunting ground during the old Indian times. There is a tradition among some of the aged Mississippi Choctaws that many long years ago a Choctaw hunting party was once camped at Dancing Rabbit Spring. Early one morning a Creek war party made a sudden assault upon their camp, killed and scalped several Choctaws, put the remainder to flight and seized all the spoils of their camp, thus gaining a complete Indian victory.

The Six Towns trail, which led from the Chickasaw Nation

southward into the lower part of the Choctaw country, passed immediately by Dancing Rabbit Spring. This trail was traveled by Tecumseh and his Shawnee warriors in the early fall of 1811. And we may well imagine that the great Tecumseh and his braves here made a brief halt and quenched their thirst with the clear cool waters of this noted Indian spring.

Dancing Rabbit was, no doubt, selected as a treaty ground on account of its being so well known to the widely scattered Choctaw people. To the Indians it was altogether desirable on account of its cane, grass, and water, and its being so easy of access by means of the numerous trails converging to the locality.

Judge A. W. Dillard writes:

"The government entered into a contract with General George S. Gaines to have on the ground for the conference a supply of provisions to subsist three thousand persons for a week, and he had collected this supply of provisions at considerable expense and trouble to himself. The Indians used paths and had no roads, hence Colonel Gaines was compelled to transport the supply of flour and corn meal on Indian ponies to the place of meeting."

It is not the design of this paper to touch even remotely upon the causes that brought about the treaty of Dancing Rabbit, but, as well as the materials will permit, simply to give a full and connected account of the daily negotiations, together with all facts and incidents more or less connected therewith. It may be sufficient here to state that the two Commissioners, Major John H. Eaton and Colonel John Coffee, had no instructions from President Jackson, except one—"fail not to make a treaty."

The Commissioners left the Choctaw Agency in their carriages on the morning of the 15th of September, and the same day arrived at Dancing Rabbit creek. They made their headquarters during the entire negotiations at the house of Hartwell Hardaway, which was situated upon the hill, about half a mile south of the treaty ground. Hardaway was an Indian countryman, who had married a Choctaw woman and had a half-breed family.

When the Commissioners arrived on the ground they found large numbers of Indians already assembled, and there were numerous arrivals for some days afterwards, some afoot and some mounted. It is stated that altogether from first to last, there were about six thousand Indians, men, women and children, that went into camp at Dancing Rabbit. Notwithstanding Colonel Gaines'

ample supplies, the Indians brought with them much bread, jerked venison, and corn, with their brass kettles for making hominy. Colonel Gaines established his beef pen and depot of supplies on the west side of Little Rabbit, about half a mile distant from the creek. Here his beeves were herded during the day and penned at night. Every day a number of beeves were butchered and rations issued. Colonel Coffee selected the camping grounds for the Indians, each of the three districts camping apart. Their camps were all on Big Rabbit, or Eastern Rabbit, Colonel Leflore's people being the highest up the creek, Mingo Mo-shu-li-tub-bee's people next below, and Nittakechi's people the lowest down the creek.

Colonel Leflore was dressed in a suit of citizen clothes at Dancing Rabbit,—a circumstance that aroused some suspicion among the more ignorant Indians that he was in collusion with the United States Commissioners. Moshulitubbee wore a new blue military uniform, a present sent to him by General Jackson. Nittakechi was arrayed in the glory of a full Indian garb, a fringed hunting shirt and leggins, adorned with bead work, and with garters below his knees. His head was girded with a bright colored shawl, and this encircled with a broad silver band. He wore silver bands around his wrists and above his elbows. Seven crescent-shaped silver gorgets were suspended from his neck, overlapping each other from the neck down to his belt.

Hopaii Iskitini, or Little Leader, a prominent character at Dancing Rabbit, also wore a gorgeous Indian dress, adorned with beadwork and silver ornaments. Leader was not present at the arrival of the Commissioners. Colonel Gaines, who knew him well, noticing his absence, sent a messenger for him down to his home on Sukenatcha. When Leader arrived on the ground some days afterwards, at the head of about sixty followers, he at once became very much dissatisfied with the camping grounds assigned the Indians on Big Rabbit. He rode forthwith up to the Commissioners' quarters and, straightening himself up in the saddle, indignantly demanded from Colonel Coffee other camping grounds for himself and people, saying that he was a warrior who had served under General Jackson and that he would accept no camping grounds on the creek below the white people. Colonel

Coffee, for the sake of peace, assented to this demand, and assigned Leader's people a camping ground on the west side of Little Rabbit. These were the only Indians camped on Little Rabbit during the treaty negotiations. Little Leader was a man of small stature, but very fine looking and dignified, and of unusual shrewdness.

The white people, who were very numerous at Dancing Rabbit, made their camps at various places in the fork of the two streams, but generally just below the spring. It must be recorded that a large portion of the white people at Dancing Rabbit were not the best characters, being mainly rowdies, gamblers and saloonkeepers—in short, the bad element characteristic of the American frontier. The law was very much relaxed on this occasion, and all the demoralizing concomitants of civilization were to be found in the fork of the two Rabbits,—drinking saloons, gaming tables, and every other cunning contrivance whereby to catch the loose cash of the white man and the Indian. Captain J. M. Winston thus writes:

"The last time I saw Colonel Kit Taylor, he spoke of being present at the treaty of Dancing Rabbit, and said he never saw so many kinds of gambling as was going on when the treaty was being negotiated. Faro tables were numerous and the whites and the Indians were betting promiscuously. Colonel Taylor said that two noted desperadoes, Red-headed Bill and Black-headed Bill McGrew, were there and bullied all on the ground by kicking over the tables. These McCrews lived on the Tombigbee and afterwards had many feuds with the people of their neighborhood."

The dissipation and revelry at Dancing Rabbit was not confined to the day time alone, for every night somewhere on the ground, there was a big Indian dance which was always protracted to a very late hour. By a strange paradox in the nature of the Choctaws, than whom no more chaste race ever existed, there was no licentiousness whatever at Dancing Rabbit. It is also pleasing to record that amid all the scenes of Indian amusement, gambling, and revelry at Dancing Rabbit, there was a notable exception in the conduct of the Christian Indians who lived under the jurisdiction of Captain David Folsom. This Christian party, with their captain, kept up their religious services of preaching, praying and singing every night to a late hour.

Two unpleasant duties confronted the Commissioners on their

arrival at the treaty ground of Dancing Rabbit. One was to allay the discontents and dissatisfactions prevailing among the Indians so that they would assemble peaceably in council. The second was a correspondence, lasting two days, with the missionaries, who greatly desired, whether wisely or unwisely, to be present during the progress of the negotiations. They not only desired to be present so that the Indians should have the benefit of religious instructions on the Sabbath, but supposed that their presence might be necessary on account of some questions arising during the negotiations that might effect the interests of the missionary board under which they were laboring. The missionaries finally yielded to the positive demands of the Commissioners that they should not come upon the treaty ground, as their religious instructions would have a tendency to distract the Indians' minds during the progress of the negotiations. To an impartial spectator on the treaty ground at that time, it might, perhaps, have seemed a serious query, which of the two would be likely to prove the greatest obstacle or impediment to the treaty negotiations, the religious exercises of the missionaries and their Indian converts, or the drinking saloons and faro tables that were so freely patronized by the disorderly white and Indian element.

The day after their arrival on the treaty ground the Commissioners issued the following general regulation for the distribution of rations:

"The contractors will have deposited with them the number of each captain's company; the district in which he lives; the women and children must also be stated, and from day to day be corrected as additional persons may come in. The ration will be as follows: One and a half pounds of beef, until further orders be given; one pint of corn and one quart of salt to the hundred rations. The quantity issued to any one captain may be delivered together, in one or two pieces, by them to be arranged and divided. The agent will cause the rations to be faithfully delivered, and to report any just cause of complaint that may arise."

On Saturday morning, September 18th, at eleven o'clock, the Commissioners met the Mingoes, chiefs, captains and warriors of the Choctaw Nation at the place already described under the shade of the trees not far from the council house and there a talk was delivered by the Commissioners and interpreted by Major John Pitchlyn, United States interpreter.

It may be well to state here that Major Eaton, of the two Commissioners, did nearly all the talking at Dancing Rabbit, and in

every talk he acted on the policy of alternately appealing to the Indians' hopes and fears, and while in the latter strain he often made use of threats and representations of the most alarming nature. This opening talk on Saturday morning was, to a greater extent than usual, addressed to the Indians' hopes, and was full of flattering assurances and promised blessings. In the course of their talk the Commissioners dwelt upon the interest of the "Great Father," General Jackson, in the Choctaw people, many of whom had fought by his side in defense of his country, and by his direction the Commissioners had come among them. Among other things they said:

"It is not your lands, but your happiness that we seek to obtain..... We seek no advantages; we will take none. Your Great Father will not approve such a course.....He has sent us not as traders, but as friends and brothers.....Are you willing to be sued in courts, there to be tried for any offense you may commit; to be subjected to taxes, to work upon roads, and attend in musters? For all these you must do. If under this state of things you can be contented and happy, then dwell upon the land where you live. But if you are satisfied that under such a state of things you cannot be happy, consent to remove beyond the Mississippi where you will be away from the white people and their laws and be able to live under your own.....Decide to remove and liberal provisions will be made to carry you to a country where you can be happy, and where already a portion of your fathers and brothers have gone in peace to reside. It is a desirable region, double in extent to the one you occupy, and large and fertile enough for twice and three times the number of people you have. There your Great Father can be your friend; there he can keep the white man's laws from interrupting and disturbing you; and there, too, he will guard you against all enemies, whether they be white or red; there no State or Territory will be created, and he will have it in his power to protect you fully in your usages, laws, and customs. Here he can not do these things, because neither he nor Congress possess authority to prevent the States extending their jurisdiction over you and throughout their limits.

"Brothers, in the country to which you go west the United States will protect you from your enemies. Their object will be to preserve you at peace with yourselves and with all mankind, to perpetuate you as a nation and to render you a happy and prosperous people. Here you can not be so; it is idle to indulge such dreams of your fancy,—dreams which are entirely deceptive, and from which nothing of pleasing reality can ever come. Every day's observation shows that wretchedness and distress will be yours to remain where you are. The kind and friendly feelings of the Great Father will be inefficient to preserve you from these inevitable results."

At this part of their talk the Commissioners told the Choctaws that by the treaty of Doak's Stand in 1820 an extensive and fertile country west of the Mississippi was ceded to them by the United States for the use of their people. This statement by the Commissioners was positively untrue. For, as can be seen in the pre-

amble and in the first article of that treaty, it is expressly stated that the Choctaw lands east of the Mississippi river were exchanged for lands west of that river. The Commissioners evidently made this statement with a full knowledge of its falsity. In this same connection, they made another false statement when they said that at the time of the treaty of Doak's Stand it was the understanding that the Choctaws would remove to this western country. There was no such understanding at the treaty of Doak's Stand. On the contrary, General Jackson, who was one of the Commissioners that negotiated that treaty, assured the Choctaws there in solemn council that if they would consent to make that treaty and relinquish that specified portion of their lands to the government, that their remaining lands in Mississippi should be secured to them forever—that "the pegs should be driven down and the lines marked, never to be obliterated." After the treaty of Doak's Stand, by the very best of titles, the Choctaws were the undisputed and recognized owners of two tracts of land, one east and one west of the Mississippi river. And yet the Commissioners at Dancing Rabbit, in their opening talk very imperatively told them that they must give up one country or the other. And that if they refused to remove from Mississippi, the government would give away their western country to some other tribe that wanted it. That the Choctaws had to decide which country they would take and live upon. That they could not possess both.

In the closing part of their talk the Commissioners said:

"After the present time we shall no more offer to treat with you. You have seen commissioners in your country for the last time. Hereafter you will be left to yourselves and to the laws of the States within which you reside; and, when weary of them, your nation must remove as it can and at its own expense."

These are some of the extracts from and some of the statements contained in the opening talk of the Commissioners at Dancing Rabbit. As can be seen, this talk was simply a mixture of promises and threats, of truths and falsehoods. So far as known to the writer, there is no record of any further business being done on this day. Probably the council adjourned immediately after the delivery of the Commissioners' talk.

On Monday, September 20th, the Commissioners were notified of the readiness of the Indians to meet them in council. At eleven

o'clock they attended. A dispute arose between the chief, Leflore, and some of the captains, upon the subject of referring all matters first to a committee of twenty persons, to be selected from each district. Leflore insisted, having most men present, and within the bounds of his district, he should have the largest number on the committee.[8] When a quarrel was likely to ensue, the Secretary of War addressed them, and urged the necessity of their preserving peace and harmony at so important a crisis. He also pointed out to them the necessity of acting cordially together as brothers, and of throwing aside all their differences and strifes, if they would preserve their nation. The council broke up. In the afternoon the respective chiefs and warriors met and agreed to be reconciled and to take the talk and the business that had brought them together into serious consideration.

On Tuesday, September 21st, the Commissioners were desired by the chiefs to submit the terms they intended to offer, that they, their captains and warriors, might understand the matters to be acted upon fully. Whereupon the Commissioners consented that they would offer them terms such as they hoped would be considered liberal; that the next day at ten o'clock they would meet the chiefs, captains and warriors, and speak to them freely as to the terms they would propose.

On Wednesday, September 22d, the weather was cloudy during this entire day. Early in the morning, a short while before daybreak, Mingo Nittakechi was severely bitten on his left hip by a spider which had crawled under his blanket. The wound soon became swollen and painful, making the chief very sick. About three hours afterwards he was visited by his cousin, Oonteatubbee, of Little Leader's clan, who had heard of his kinsman's mishap. Nittakechi told Oonteatubbee that he would not be able to make a talk in council that day on account of his sickness, but that he would speak the next day. He requested Oontetubbee to look occasionally after his horse, which was grazing on the range, and see that he did not stray away.

At ten o'clock the council convened on the council ground. There was a large log, or fallen tree, lying east and west on the ground, with its top towards the east. This log formed the seat

[8] Colonel Leflore surely made a strange statement, that the treaty ground was within the bounds of his district. It was in Moshulitubbee's district.

of the Commissioners and of other white men who were more or less intimately connected with the commission. The Secretary's table was on the south side of the log and the Commissioners sat facing the south. The Choctaw councilmen, sixty or more in number, seated themselves on the ground, south of and fronting the Commissioners in a kind of semi-circle, but, in reality, making what may be considered a complete circle, if we include the party of whites on the log. A half-breed chief, named Killihota, who was the central man among the councilmen, sat immediately opposite and fronting the Commissioners. On Killihota's right hand, with several warriors intervening, sat Little Leader. Beyond him, a little farther on, was Mingo Moshulitubbee; and still a little farther on was Tishohonubbee. Major John Pitchlyn's position was to the left of the Commissioners, at that terminus of the semi-circle. Oonteatubbee sat about midway between Tishohonubbee and Major Pitchlyn. To the left of Killihota, with several councilmen intervening, sat Shenatubbee. The position of Middleton McKee, the other interpreter, was to the right of the Commissioners, at the other terminus of the semi-circle, and opposite Major Pitchlyn. The respective positions of the Choctaw councilmen, here given, Joe Jones remembered distinctly, as he knew them all well. On the ground, in the center of this circle, were seated seven of the oldest women in the Choctaw camp. McKee solemnly promised these old women that he would faithfully interpret to them everything that was said by the Commissioners in council, "Holabi likma, sakonla bashlit hash tabla chike," *And if I tell a lie, you may cut my neck off.* Encircling the Commissioners and the Choctaw councilmen were hundreds of Choctaw spectators, eager to see and hear everything said and done in council.

When order and silence prevailed, and everything was ready for business, the secretary of the Commissioners slowly read, for the consideration and approval of the Choctaws, the outlines of a treaty which the Commissioners proposed, and which they were willing to enter into. The treaty, item by item, was translated to the Choctaws by Major Pitchlyn. It is as follows:

Land reservations to be assessed at the price at which the United States shall sell their choice and best lands, to wit:
Four sections to each chief, is ———
Two sections to D. Folsom;

Two sections to R. Cole;
Two sections to J. Pitchlyn;
Two sections to J. Juzan;
One section to Makay;
One section each to 39 captains, 13 to each district—39.
Half section to 90 captains and principal men, 45—30 in each district.
Reservations of sections or acres.
Reservations to others who probably may not remove, say 150 persons, at 640 acres, is 96,000 acres.
Annuity, 2,500, for 20 years—$500,000.
Removal and support of Indians for one year.
Education of 40 Choctaw boys by the Secretary of War, under the direction of the President, 20 years.
Cattle, purchase of.
Council house for the nation at the agency, $3,000.
Three churches, one in each district, to be used for schools, $3,000.
House for each chief, at $3,000.
Teachers and preachers for the nation for 20 years, $50,000.
One thousand guns and ammunition.
One thousand blankets and kettles.
One thousand axes, plows and hoes.
One thousand wheels and cards, and 400 looms.
Three blacksmiths, one to each district, for 16 years, $40,000.
One millright, for five years.
Suit of clothes to 100 captains, and swords as outfit.
Pay of captains for four years, at $50, $20,000.
Pay of each chief for 20 years, $20,000.
Compensation to those who have no reservations, for improvements, $50,000.

After the reading of the above outlines of a treaty, which with the interpretations occupied a long time, the *Journal* of the Commissioners represents Chief Leadstone as inquiring if the present treaty was to be considered as retaining the former treaties and their provisions, or as repealing all former treaties, and the present one only to be relied on. The answer was, that it was desirable fully to embrace everything; that this treaty might be considered as the only one to be looked to; that, excepting former annuities, all previous treaties were to be considered as revoked and set aside.

Wednesday, the 22d, was really the first day in which the written articles of a treaty were presented for the consideration of the Choctaws. But from statements to be found in other sources of information, it is known that the Commissioners had, prior to Wednesday, conferred with nearly all the leading Choctaws in regard to a treaty, and in every case they encountered a decided opposition.

The *Journal* of the Commissioners, from some cause, studiously avoids all mention of any speeches, made by any Indians, on any day or occasion at Dancing Rabbit. But in the silence of this

Journal, there are, fortunately, two sources of information in regard to the actions and speeches of the Indians on this day, Wednesday, the twenty-second. First, the statements made to the writer by Joe Jones, who has a clear recollection of all he saw and heard on that day, as it was the day on which his kinsman, Nittakechi, lay sick in camp from the bite of the spider. Secondly, the printed narrative of the late Judge Antony Dillard, of Alabama, based upon statements made to him by Colonel George S. Gaines, which statements, without question, must be assigned to this Wednesday's proceedings.

Soon after the reading of the articles recorded above, the Commissioners, through Major Pitchlyn, called upon Killihota to make a talk. Pitchlyn pointed to a stump about three feet high a few steps in front of Killihota, and bade him stand near the stump and deliver his talk. This place near the stump, it may here be stated, was the place where all the speakers that day stood and made their talks. Killihota arose, took his stand at the designated spot and made a talk of some length. It was the only speech delivered that day in favor of a treaty.

Killihota, in his talk, expressed a willingness on his part to sell the country and move west. That the Choctaws ought to sell everything they owned, land, cattle, horses, and hogs, and all in a body emigrate west. With much exaggeration and in glowing terms, he depicted the healthfulness and the general superiority of the western country, to which the Choctaws were invited to emigrate. Game there was very plentiful, buffaloes, elks, deer, bears, and turkeys. The soil there, too, was so fertile that watermelons, pumpkins, and squashes grew twice the size they did in Mississippi. Every cornstalk bore six big ears, and the stalks grew so large and tall that they could not be bent down with the hand. It was such a healthful country that the few people who lived there, men, women and children, were of the largest size. And if the Choctaws would leave this country, and emigrate there, their children would all grow up large, strong and healthy.

When Killihota had exhausted all the ideas of this extravagant talk, which, no doubt, he had been secretly prompted by the Commissioners to make so as to induce the Choctaws to consider favorably the making of a treaty, he returned to his place and sat down.

Killihota's talk elicted much dissatisfaction from the Choctaws,

especially from the seven old women seated in the center of the ring, who gave vent to their indignation in bitter exclamations. One of these venerable matrons sprang excitedly to her feet, and made a threatening gesture towards Killihota with a butcher knife. "Killihota," she said, "I could cut you open with this knife. You have two hearts," meaning by this, one heart for the white people and one for the Choctaws. Two half breed chiefs in the council also successively arose and denounced Killihota and his talk. "Killihota, you have no sense. You are ruining our country. What the old woman says about you is true. You have two hearts." Killihota now arose again, stood for a few minutes with down-cast looks, then lifting his head he addressed the old women. "You may hang me up," said he, "and cut my bosom open and you will see that I have only one heart and that for my people."

When Killihota's talk, together with this objurgatory side scene, was interpreted by Major Pitchlyn to the Commissioners, Little Leader was next called upon by them to deliver a talk. Arising and advancing to the place, already mentioned, Leader addressed his audience. Judge Dillard in his narrative says that Little Leader surpassed all the Indians who spoke on this occasion in energy of expression and fiery eloquence. The Judge has, no doubt, given a correct abstract of some of the ideas of Leader's talk that day, which is here reproduced:

"Leader declared that he would neither sell nor leave the home of his fathers and that he would go away and gather his warriors for the protection of the homes of his people. The white man had neither justice nor gratitude, but wanted to strip the red man of all his lands and move him across the Mississippi to strange hunting grounds where wood and water were both scarce. The Choctaws had already sold all their lands on the east side of the Tombigbee to the white man, but now he wanted to get possession of all their other lands, and to move them to a strange country unknown to their fathers. And even should the Choctaws consent to sell the hunting grounds of their fathers, the time would come, when the white man would want to get hold of their new hunting grounds and to move the Choctaws once more. Our fathers and our children are buried in our present hunting grounds, and the graves of their fathers are dear to the hearts of the Choctaws; we love our hunting grounds more than the white man loves his country, and we do not wish to be driven away from them. Any chief who may sign a treaty selling our country is a traitor and should suffer death. I go home to prepare my people to fight for our homes and the graves of our fathers."

There is no doubt but the above truly gives some of the ideas of Little Leader's talk at Dancing Rabbit. And from the statements made to the writer, in by-gone years, by men who knew

Little Leader well, there is no doubt too that if he had had the power at Dancing Rabbit he would have been willing to oppose the making of a treaty by force of arms.

Joe Jones also states that Leader in his speech was very bitter against the making of a treaty and the emigration of the Choctaws to the West. He stated besides that Leader, in the course of his talk, paid his respects to Killihota and his extravagant statements as to the wonderful productions of the western country, which he declared to be false. Leader himself in early life had been in that country on the war path against the Osages, and he knew positively that Killihota's statements were utterly untrue.

After Little Leader's address, at the request of the Commissioners, Mingo Moshulitubbee next arose and made a talk. After him, Tishohonubbee spoke; then Oonteatubbee, and lastly Shenatubbee. All these chiefs in their speeches bitterly opposed making a treaty. Judge Dillard writes:

> "The Choctaw chiefs spoke with energy and impassioned eloquence against the sale and cession of their hunting grounds. They dwelt upon the fact that the Choctaws had lived on terms of friendship with the white man from the time of his first landing on their shores, and had never been engaged in war with the French, the Spanish, the English, or the Americans. When Bill Weatherford was making war on the white people in Alabama and was about to destroy them, the Choctaws had raised a band of three hundred warriors, headed by Pushmataha, and joining the American army, had fought against the Creeks. This proof of friendship on the part of the Choctaws had been forgotten by the whites, who now proposed to force the Choctaws to sell and leave the hunting grounds of their fathers."

At the conclusion of the interpretation of the last speech, that of Shenatubbee, Killihota, taking a large knotty hickory stick in his hands, and saying, "Yakni kanchi lishkeh," "I am for selling the country," gave a heavy thud on the ground with it, thereby recording his own vote in favor of a treaty. He then passed the stick to his right-hand neighbor. This man, to show his opposition to a treaty, passed the stick in silence to the next council man sitting on his right-hand. The stick thus passed in silence from hand to hand around the circle until it returned to the hand of Killihota, who alone of all the council men, that day, had struck the ground with the stick, thus voting for a treaty.

When the action with the stick was completed, Mingo Moshulitubbee, mindful of the immemorial Indian ceremony in public assemblies, broke the silence by saying, "hakchuma keho shunka,"

"let us all smoke tobacco." The chief thereupon ordered that his silver-mounted pipe-hatchet be filled with tobacco and lighted, then handed over to Killihota, who, after taking a single whiff, passed it to his right-hand neighbor. He, in like manner, after taking a whiff, passed it to his right-hand neighbor. The pipe thus from hand to hand passed around the circle, everyone, even including the whites sitting on the log, taking a single whiff, until the pipe returned to Killihota, thus completing its circuit. During all these ceremonies, the passing of the hickory stick and the smoking and passing of the pipe, the council men remained seated in grave and decorous silence. It was now about 2 o'clock in the afternoon. All now arose to their feet and the council adjourned for the day.

On the morning of Thursday, September 23d, the Commissioners were informed that the Indian committee, appointed to consider the terms proposed, were about to reject them and refuse to treat; that it had been represented to them that there was but one spring, and only one, in the country west of the Mississippi; and that the laws of a State had already been extended over the Cherokees who had removed there.

The Commissioners stated in reply that the representations were wholly incorrect; that there was no State near to where the Cherokees lived, or within many miles of them or the country owned by the Choctaws; that the report was originated by evil-minded persons; and that it was intended to deceive and to prejudice their minds. The Commissioners then requested that the Indian committee would meet to receive their explanations. The answer was that at 12 o'clock they would again meet in council and desired the presence of the Commissioners.

At 12 o'clock the Commissioners assembled at the council-house and received the report of the decision of the Indians through the chairman of their committee, Peter Pitchlyn. He stated that they were greatly surprised at being informed that their Great Father had understood they were in distress and dissatisfied, and that they could not retain the lands which by the treaty of 1820 had been secured to them. He stated further that they had concluded not to treat for a sale of their lands.

The report being received, the Secretary of War rose and made an address to the Indians in the presence of the council. He

told them of their situation and condition, and of the impossibility, on the part of their Great Father, to prevent the operation of the laws over them. He said that they had been badly advised, and were putting reliance in persons who, while they professed to be their friends, would be sure to forget them in the hour of difficulty and trial. Their object, he well knew, was to obtain the best bargain they could, and the Commissioners were prepared to give them one as liberal in all respects as they could hope that the Senate of the United States would ratify. He added that the government intended this to be the last treaty ever to be held with them, and that it certainly was the last time Commissioners would ever appear in their nation to talk with them on this subject. The Commissioners, he said, had come as friends, at the request of the Indians, to protect them from injury and not to cavil with them about prices. As for their lands the government cared nothing; for it had enough. Its object was merely the possession of the country, without regard to any thing of value or profit to be obtained from the sale of it. He called their attention to a printed letter to the War Department from two of their three districts, which letter two of their principal chiefs had signed, conveying in most touching language the fact that they were in distress and could not possibly live under the laws of the State, and begging that Commissioners might be sent to their nation to conclude a treaty. He added that by acting differently now, they would show their insincerity and deception and that hereafter their complaints would not be regarded because they could not be confided in.

The Secretary of War requested them to consider that their removal was to be a matter for their own reflection and judgment, and that unless they really believed their happiness could be promoted thereby, they should not think of removing. He said they must go freely and of their own accord, or not at all. As they had declared their unwillingness to remove, he supposed they had arrived at the conclusion that they could remain where they were and live under the laws of Mississippi. He added that of course the Commissioners had nothing more to say or to advise; that they would now take their leave and go home. It was a matter of regret, he said, that their judgment had erred so much in the decision they had made. Throughout the language of all of them had been that they could not live under the white man's laws. If

such was not their deliberate opinion, why had they avowed it; and why did they solicit the President to send Commissioners to treat with them when they could not but know it was attended with great expense? He said that he well knew many of them could live anywhere he could; their education and intelligence justified his making and believing such a statement; but it could not apply in the case of the common, uneducated Indian. It would be expecting too much for them to live under laws which they could neither read nor be made to understand. And what are they to do, he asked, under the decision just pronounced? Will they resist the laws? The sheriff must enforce them. Will they oppose him with their guns and tomahawks? To every warrior the Choctaws could raise to resist there would be found one hundred or one thousand to oppose that resistance, and to enforce the law. These are things which they should have seriously considered before their decision was pronounced. The Commissioners, he said, had nothing further to say, except to take leave of them and go home. They accordingly retired from the council.

It may be appropriate here to call attention to a passage in Judge Dillard's narrative, in which he has evidently misplaced a fact in recording Major Eaton's threatening language as being spoken in the council of the day before, Wednesday, the 22d. All the evidence goes to show that this language was spoken on Thursday, and was, no doubt, a part of the same speech given above, but which the author of the Commissioner's *Journal* thought best not to place on record.

After the refusal of the Choctaws to make a treaty, Judge Dillard writes thus:

"Major Eaton with brutal roughness said that the Choctaws had no choice in the matter, but were bound to sell their lands and remove to the other side of the Mississippi river. If they refused to enter into a treaty to that effect, the President in twenty days would march an army into their country, build forts in all parts of their hunting grounds, extend the authority and laws of the United States over the Choctaw territory and appoint United States judges to try the Choctaws by the laws of the United States. Sheriffs and constables would also be appointed and sent among them. The soldiers would support and defend the constables, sheriffs and judges that would be sent among the Choctaws to maintain and enforce the laws of the United States. Should the Choctaws go to war against the United States, it would be just as foolish as it would be for a baby to expect to overcome a giant. The result of the Choctaws' making war on the United States would be the ruin of the tribe. Their lands would be seized upon as the property of an enemy and the Choctaws would be forced to remove across the Mississippi."

This intemperate language on the part of Major Eaton at once brought Colonel Coffee to his feet, who "declared his strong disapprobation of the course adopted by his brother Commissioner in this matter, and avowed that he would have no part in that sort of proceedings."

The coercive language used by Eaton at Dancing Rabbit, as narrated by Judge Dillard, is, perhaps, not exaggerated. It harmonizes well with the man's temperament and with the instructions given to him by President Jackson.

The Commissioners' *Journal* of the 23d concludes as follows:

> "Shortly after the commissioners had retired they were waited upon by several persons of the committee, with the request that they would not leave the treaty ground; that they had considered the remarks which had been made to them, and had no doubt, if the Commissioners would remain a few days longer, that a treaty could be made."

Many of the Indians became very indignant at the severe language of Major Eaton in the Thursday's council, and large numbers that afternoon and the next day left the treaty ground and went home. Still larger numbers started for their homes on the following Saturday and Sunday. All those that left the grounds were bitterly opposed to making a treaty.

From the evidence extant, there was, however, a small party among the Choctaws who were in favor of making a treaty. Colonel Leflore belonged to this party, conceiving, as he stated, that a treaty under the circumstances was a measure of necessity, if not of policy. Many of the Indians throughout the nation, including many in the lower part of Colonel Leflores's own district were very much prejudiced against him on this account, having an impression that he not only favored a treaty, but favored a forced migration of the Choctaw people west. Even the Commissioners themselves, from some cause, had come to the treaty ground very much prejudiced against Colonel Leflore and would hold no intercourse with him. After their utter failure to make a treaty, they came to him and made many apologies for their neglect, that they had been deceived and misled in regard to him by many misrepresentations and begged that he would enter into negotiations with them. This interview must have taken place either Thursday afternoon or some time the next day. As there is no entry in the Commissioners' *Journal* for Friday,

this day being omitted entirely, it is very probable that a part of this day was employed by the Commissioners in negotiating with Colonel Leflore. The Colonel in his deposition says:

"I told them that if they would embrace in the treaty such provisions and articles which I suggested, the 14th article being one of them, I would undertake to make a treaty in two days. They agreed to the articles I suggested, and in twenty-four hours I had the treaty made."

The last words of Colonel Leflore evidently mean the *wording* or the *text* of the treaty which was presented in the council the next day.

On Saturday morning, September 25th, at 9 o'clock, the committee on the part of the Indians handed in a plan outlining the grounds on which they were willing to treat. It contained various objectionable features; and, among others, a proposition to create a perpetual stock of $500,000 at an interest of 5 per cent., but redeemable at the pleasure of the Choctaw nation after twenty years. The Commissioners returned for answer that the terms offered had been fully considered, and that some of them were inadmissible; but that at 11 o'clock they would meet the chiefs and warriors in council and state to them there what they were willing and disposed to do.

At 11 o'clock the council met. The Commissioners, the three chiefs, captains, and warriors of the nation were present. The following terms were proposed and interpreted:

"Choctaw proposals for the basis of a treaty in lieu of those heretofore proposed.

"They are offered from a full consideration of all the circumstances, and from a desire that ample and entire justice and liberality may be extended to your Choctaw brethren. If approved, a treaty to be drawn out in form, removal to take place within two, or two and a half years from the ratification of the treaty, and the treaty to be binding from the date of ratification upon the following terms:

"Lands reserved, and the value at the lowest government price only: 4 sections to each of three chiefs, two to include improvements, is	12	sections
4 sections to Col. D. Folsom, two to include improvements, is	4	"
2 to R. Cole, and 2 to J. Garland, former chiefs,	4	"
2 to the speakers of each district,	6	"
2 to J. Pitchlyn, and 2 to J. Juzan,	4	"
	30	sections
1 section to 13 captains, with others to be named, and to be placed in a supplemental treaty,	50	sections

"And that others not provided for above, and who will remove, may be provided for, there shall be reserved three-quarters of a section to each head of a family, who during the present year may have had in actual cul-

[illegible] said reserv- [illegible] adjoining. [illegible] the dwelling may be [illegible] of the United [illegible] five hundred per- [illegible] as aforesaid, a farm [illegible] quarter sections, [illegible] adjoining. [illegible] of the preceding [illegible] persons. And to [illegible] a farm of twelve [illegible] as aforesaid, under [illegible] a section of land [illegible] persons. And to those [illegible] and less than [illegible] aforesaid of [illegible] three hundred and [illegible] shall not exceed [illegible] persons less than a [illegible] additional, to [illegible] he shall be [illegible] of new parents [illegible] be filed with the [illegible] of this treaty, who have [illegible] quarter section of land [illegible]

[illegible] heads of fam- [illegible] section of land; and [illegible] years after the ratifica- [illegible] section shall be bounded [illegible]

[illegible] residing with him or her, on notice [illegible] ratification of [illegible] years of age, to half [illegible] parent's [illegible]

[illegible] 200 sections
[illegible] 100 "
[illegible] 50 "

[illegible] which would [illegible]

[illegible] the large res- [illegible]

[illegible] years.
[illegible] years.
[illegible] years.
[illegible] years.
[illegible] dollars.
[illegible] dollars.
[illegible] dollars.
[illegible] years.
[illegible] years.
[illegible] four years' pay at fifty [illegible]
[illegible] years.

[illegible] of persons appointed by the government to be [illegible] or more appointed places, to be paid for, or the [illegible] of cattle furnished across the river, at the election of the President."

The foregoing having been read and explained, the three chiefs and others of the principal men addressed the council, and urged the acceptance of the terms which were offered. The council then broke up.

If we are to accept the statements of an eye-witness of the Saturday's proceedings, the last paragraph in the Commissioners' *Journal* of the 25th, recorded above, would have to be taken "with many grains of salt." General Reuben Grant, who was present that day, gives an entirely different story. After referring to the flattering nature of the opening speech which Major Eaton made, he thus writes:

"Among other things of like character, he told them that their Great Father, General Jackson, by whose side many of them had fought, cherished a particular regard for his Choctaw children; that, feeling a deep interest in their welfare, he had sent him, the Secretary of War, to make arrangements with them, whereby the evils with which they were threatened might be averted and their happiness and prosperity as a people secured and promoted; that, to this end, it was necessary for them to cede their country in Mississippi to the United States, and remove to the country which they owned west of Arkansas; that, in asking them to do this, there was no design to take any advantage of them; that the government did not want the lands for the purpose of speculation or gain; that the right of jurisdiction over the country was all the government desired; that all the pecuniary benefits resulting from the cession would inure to them. These and similar promises and protestations were reiterated in various forms of expression—all intended to impress the Indians with the belief that they would get the full value of their lands, and that the treaty would be in every respect eminently beneficial to them. The idea that the government desired nothing but the right of jurisdiction, and that all else was to be for the benefit of the Indians, was repeatedly presented, and with special emphasis. At the conclusion of this address, the treaty or the outlines thereof, which had been previously drawn up by the Commissioners, was read and interpreted to the Indians; but, although they listened respectfully and attentively to Major Eaton's speech, they paid no attention to the reading of the paper, during which there was a general conversational pow-wow going on among them. Their inattention to the reading was doubtless owing to the fact that at that time they had no idea of making a treaty, and consequently felt no interest in what the paper contained."

Such is General Grant's account of at least some of the proceedings on Saturday the 25th. He gives us not the slightest hint that any of the Choctaw council men made speeches, "urging the acceptance of the terms which were offered," as stated in the Commissioners' *Journal* of the 25th. While no doubt the text of the treaty had been previously framed by Colonel Leflore and the Commissioners, as has already been stated, and then read and interpreted in the council of the 25th, still from the tenor of General Grant's letter the treaty had not a single advocate, with the

possible exception of Colonel Leflore, in the Saturday's council. General Grant's statement, which we believe to be true, and that of the Commissioners' *Journal* are simply irreconciliable.[4]

[4] From a close reading of General Grant's letter, as quoted above, it is very clear that he gives an account of what he saw and heard in the Saturday's council. Where, just after this account, he speaks of "the next day," he plainly means *the next council day*, which was Monday, the 27th. After giving his recollections of Monday, he then briefly refers to the signing of the supplement, which we know occurred on Tuesday, the 28th. To repeat, General Grant's letter refers to Saturday, the 25th, Monday, the 27th, and Tuesday, the 28th.

From the deposition of James Stanley, it seems that on Saturday, on another part of the treaty ground, negotiations were carried on with the people of Leflore's district. As Stanley's deposition is the sole authority for this statement, that part of his deposition relating to this matter is here given in full:

"The Commissioners of the United States negotiated with the Indians of his [Leflore's] district in writing. When the last proposition was read to the Indians of his district assembled in council, more than two-thirds of them were opposed to it, and voted against it. This proposition witness understood at the time contained the 14th article of the treaty as it now stands. On the same day that this vote was taken two-thirds of the Indians of his district left the ground and returned home under the impression there would be no treaty, as it was declared to them on the ground that the proposition spoken of was the last that would be made. Some days after the witness returned home he heard that a treaty was made, and he supposed it was the same he had heard read; and when it was afterwards published he found it was the same."

On Sunday morning, September 26th, a conference at the Commissioners' quarters took place between the chiefs and some of the captains and head-men, in which several alterations and additions were made to the terms proposed. They insisted upon an increase in the number of guns and blankets offered, and urged as a reason therefor the promise which was made to them in the treaty of Doak's Stand, made in 1820.

Monday, the 27th day of September, 1830, was the noted day in which the treaty of Dancing Rabbit was signed. It would be a great disappointment to the student of history, desirous of knowing the real circumstances under which this treaty was signed, if his only source of information were the seven printed lines of the Commissioners' *Journal*. The author of that *Journal*, apart from recording the fact that the treaty was signed, evidently wished to give no further account of the occurrences of

that day. He even wrote an untruth when he stated that the treaty was interpreted to the Indians that day. Fortunately, however, for the truth of history, some of the details of the day have been preserved in the writings of other witnesses.

During all the negotiations at Dancing Rabbit there was an intense and almost universal feeling among the Choctaws against the sale of their country, and of this fact the Commissioners were well aware. This feeling was especially pronounced on Monday near 12 o'clock, when the Commissioners and the Choctaws met at the usual place on the council ground. The whites seated themselves on the log, with the Choctaw council men in their front. There was much whiskey on the ground and some of the Indians commenced drinking. The council came to order, and after a few short talks by some of the Choctaw council men, they announced to the Commissioners that they had duly considered all that had been said to them, and that it was their unanimous and fixed determination not to sell their country.

No sooner was this decision made known than, as General Grant writes:

"Major Eaton arose and delivered a very eloquent harangue, the object of which was to alarm the fears of the Indians, and in this he succeeded completely. He portrayed at length, and with startling effect, the evils that would speedily befall them if they did not yield to the wishes of the government. He told them that they would be subjected to the operation of the State laws, by which they would be compelled to muster, pay taxes, and work on roads; that their country would be overrun by the white men, who would come among them like flocks of blackbirds and swarms of locusts; that they and their children would become paupers and beggars; that they would be broken up and utterly destroyed as a nation; that the United States could not protect them where they were; that no more commissioners would be sent to treat with them; that this was the last opportunity they would ever have of escaping from the ruin with which they were threatened; that it was impossible for them to remain in Mississippi, and yet continue to hold their country west; that it would be taken from them and given to other tribes who wanted it; that they would soon have no country and no home; that their agent, also, should be forthwith dismissed and they abandoned to their fate; 'and hereafter,' said he, 'when your troubles come upon you, and your distress is great, you will then be heard appealing to the President for succor and relief; but he will turn a deaf ear to your lamentations and laugh at your calamities.'"

Major Eaton now placed the treaty upon the table and urged the Indians to come forward and sign it. The Choctaws were panic stricken at the threats and alarming representations of Major Eaton's speech, that the protection of the United States

would be withdrawn from them, that they would be compelled to live under the hard laws of Mississippi, and that in consequence of these things their certain ruin as a nation and a people would be the inevitable result. Full of fear and apprehension, in the midst of the greatest excitement and confusion, the chiefs and head-men came forward hastily and signed the treaty without its being again interpreted to them. Intimidation and moral coercion simply made the treaty of Dancing Rabbit. Persons familiar with the ideas of the Indians of the old régime know the peculiar dread and horror they had of living under the white man's laws. By keeping this fact in mind, one can better understand the startling nature of Major Eaton's threats over his untutored Choctaw audience at Dancing Rabbit. Although they were in a great panic, it seems that some of the chiefs and head-men still hesitated to sign their names unless Colonel Gaines would consent to remove them. Major Eaton at once and readily assured them that Colonel Gaines should be the man that would remove them, and he prevailed upon Colonel Gaines to accept this office. Meanwhile, and really even before the signing of the treaty, the drinking element was becoming more violent. They first attempted to prevent their chiefs signing the treaty. After the signing of the treaty, which occurred about 1 o'clock, the excitement, according to the representations of eye-witnesses, became tremendous. Threats and demonstrations of personal violence were made against the Commissioners and against the chiefs and headmen who signed the treaty. Major Eaton, at this juncture, called upon Colonel Gaines to act as pacificator. Thinking to draw the minds of the disaffected Indians away from the treaty, he urged Colonel Gaines to accept the appointment of exploring agent to lead off a delegation of Choctaws to explore their new country in the West. This stroke of policy was recommended by Major John Pitchlyn. Colonel Gaines at first refused, but on Major Eaton's persistence, and seeing besides that some good could be done towards allaying the excitement and the dissatisfaction of the Choctaws, he finally agreed to accept the office, if Major Eaton would also appoint him as agent, in connection with Colonel Reynolds, the Chickasaw agent, in effecting a treaty between the Chickasaws and the Choctaws, by which both nations might settle on the Choctaw lands in the West. Major Eaton assented to this.

Colonel Gaines was to receive the pay of both offices, that of exploring agent and that of co-agent with Colonel Reynolds in making this treaty between the Chickasaws and Choctaws.

In the meantime, as the afternoon began to draw to a close, the excitement on the treaty ground had grown to such a dangerous extent that the chiefs and head-men who signed the treaty left the ground. The Commissioners, too, at the same time, standing in wholesome dread of this wild drunken Indian mob, in like manner hastily beat a retreat to their headquarters, leaving Colonel Gaines to allay the excitement the best he could.

The Colonel had a task before him. The minds of the Indians were wrought up to such a pitch of excitement over the obnoxious treaty, that it is said Little Leader was openly getting up a band of warriors to resist its enforcement. Colonel Gaines was very popular with the Indians, hundreds of whom he knew personally. Judge Dillard writes as follows:

"He accordingly went among them and finally succeeded in persuading them to abide by the treaty, telling them that he had been appointed to go with a body of Choctaws across the Mississippi to examine and explore the new hunting grounds of their people, and that their new hunting grounds would be as good, if not better than their old country. He also told them that he had been appointed by the Commissioners to conduct and superintend the removal of the Choctaws across the Mississippi to their new homes, and that the government had agreed to furnish wagons enough to haul the aged and the infirm and the women and children. Colonel Gaines soon extinguished the war spirit among the Indians and reconciled their minds to the removal."

Judge Dillard is perhaps in error in the intimation that Colonel Gaines failed to reconcile Little Leader. From the fact that Leader's name is signed to the treaty, it would seem that either that afternoon or the next day, by the persuasion of Colonel Gaines, Leader had become sufficiently reconciled to the treaty to sign it.

The *Journal* of the Commissioners for September 27th states that the Commissioners on that day "informed the council that there were some minor matters which had been partly agreed upon, and which that evening would be arranged, in a supplement form, as part of the treaty just signed, and that to-morrow they would be ready to submit it for their signatures." The excitement incident to the signing of the treaty doubtless suggested to the minds of the Commissioners, and possibly to Colonel Leflore and a few others, the articles included in this supplement, which

articles, as they supposed, were of such a nature as to cause the leading Choctaws to regard the treaty more favorably.

The purposes of the exploring delegation are fully set forth in article third of the supplement. There is no information whether the members of this delegation, four from each district, were selected on the 27th or the 28th. The most reasonable supposition is that the selections were made in the afternoon of the 28th, when the excitement had, in some degree, subsided.

On the 28th the council convened at the same place and for the last time. Here the supplement to the treaty was read, interpreted and signed. There is but little information in regard to this event, save the brief statement of General Reuben Grant that the supplement was signed under the same state of feeling as that which existed the day before. The last clause in the Commissioners' *Journal* that they left the Indians at Dancing Rabbit "peaceable, quiet, and to all appearance well pleased and satisfied," does not seem to harmonize with the above statement of General Grant. But to do justice to the Commissioners, it may be that towards the close of the afternoon, owing to the persistent efforts of Colonel Gaines to persuade the Indians to become reconciled to the treaty as an accomplished fact, and owing perhaps also to a talk which Major Eaton himself had made in the afternoon, a better feeling began to prevail among the Indians. His purpose having been accomplished in the treaty, which had just been made, Major Eaton could then well afford to be more conciliatory in his language towards the Indians. His last talk at Dancing Rabbit, which was long remembered by the Choctaws of Mississippi, has not been handed down, but from the following brief abstract or notice recorded in the deposition of Hiahka, it seems that it was mainly a full explanation of the fourteenth and nineteenth articles of the treaty:

"He represented to them that they would at once and unconditionally obtain land under the treaty in proportion to the land which each then had in cultivation, and would, if they desired to continue as citizens of the country, get each of them land under the provisions of the five years' stay. That the first that they could dispose of as they pleased and by staying five years they could get more land. The deponent says there was great dissatisfaction against the treaty; but after these remarks of Major Eaton, many became better pleased, witness for one, and immediately got his horse and went home contented."

Colonel Coffee was more considerate of the feelings of the Indians at Dancing Rabbit than was Major Eaton. Tradition has handed down a little incident in regard to him. Some time during the afternoon of the last day, perhaps after Major Eaton had made his last talk, Colonel Coffee, in a sportive mood, had the Indians to bring forward a pine knot, dig a hole in the ground and bury it. A deeply buried pine knot is practically indestructible. Colonel Coffee then made a little talk to the Indians, and closed by saying that as long as that pine knot remained in the ground, the white people would never again ask the Choctaws for more land. To this a skeptical old Choctaw, Tushka Mastubbee, with aboriginal bluntness, replied: "Chi yimmi li keyu. Chisunlash at chulakto kat akankiyi ohmi." *I don't believe you. Your tongue is as forked as a chicken's foot.*

The Commissioners' *Journal* of September the 28th closes its brief record of proceedings at Dancing Rabbit as follows:

> "The business being all completed, some of the chiefs and headmen represented to the Commissioners that it had ever been the custom at their treaties for their people to expect some presents from their Great Father as evidence of his kindness. The Commissioners accordingly informed them that not knowing that any treaty would be concluded, they had not provided the means of complying with their request, but that such articles as could be procured would be divided amongst their three districts, to be proportioned by their chiefs to their people, in all amounting to ——— dollars."

There is a tradition that after the treaty of Dancing Rabbit was signed, some money was distributed among the Indians—a comparatively level spot on the slope of the hill about fifty yards northwest of Dancing Rabbit Spring being the place pointed out where the money was paid down. Perhaps we may explain the tradition by assuming that this was the place where money and presents were given to the Indians—the fact recorded in the above extract from the Commissioners' *Journal.*

At 4 o'clock in the afternoon the Commissioners took their leave for the Choctaw Agency, where it seems they passed the night. The other white men and the Indians began gradually to leave the grounds, and by the afternoon of the 29th there was perhaps not a soul, white or red, to be found on the treaty ground of Dancing Rabbit.

General Grant makes the following concise statements:

"The Indians had requested that several copies of the treaty should be left with them, and this the Commissioners promised to do, but their departure was so sudden that there was no time for the copies to be made. After the lapse of several weeks, a few copies were sent to some of the chiefs, and then, for the first time, the Indians were appraised of the contents of their treaty, at which they expressed the utmost astonishment and indignation and immediately set about getting up public meetings for the purpose of protesting against its ratification by the Senate; but the agent of the United States actively interposed and by intimidation prevented the meetings from being held. There can be no doubt that but for his interference, the nation with one voice would have protested against the ratification of the treaty.....I have no hesitation in saying that although the Indians doubtless understood that the treaty contained all the beneficial provision held forth to them by the Commissioners, it was nevertheless signed by them under the controlling influence of fear, coercion and duress."

All the contemporaneous evidence agrees that the overwhelming majority of the Choctaw people were opposed to making a treaty at Dancing Rabbit, the least intelligent among them being the most violent opposers. The most circumstantial account to this effect is to be found in the deposition of Grabel Lincecum, made at Columbus, in 1835. In answer to the questions here summed up, whether he was at Dancing Rabbit when the treaty was made, whether the Indians reluctantly made that treaty, what induced those to consent who did consent, and what settlements were most opposed to removing, his statements were as follows:

"I was there during the time and was extremely anxious that the treaty should be made, and I know that many of the Choctaws were altogether opposed to making the treaty and utterly opposed to going west; from all I heard and witnessed, I am entirely confident that no treaty could have been made but for the solemn assurances of the Commissioners made in public council that all might stay and keep their homes who did not wish to go, and the Indians distinctly understood that this was put down as part of the treaty.....There were many from all parts who seemed determined not to go, but I think the Indians living on Bogue Chitto, and those living on Sukenatcha and on the headwaters of Pearl, Leaf and Chickasahay, were the most open in their opposition to removing. It was a common declaration among them that they would die before they would go west."

To sum up the whole matter, it can be safely placed on record that the seductive influence of the fourteenth article, fear, intimidation and coercion, all more or less combined, were the causes that prompted the Choctaw council men to sign the treaty of Dancing Rabbit.

On the 24th of February, 1831, the treaty was ratified by the United States Senate. By this act, whether right or wrong, Choc-

taw sovereignty yielded to white supremacy, and the all-conquering and the all-coercing white man secured, as a possession never to be given up, all the remaining lands east of the Mississippi river from that race of red men, who for doubtless thousands of years had been the undisputed proprietors of a large portion of the domain of Mississippi.

BIBLIOGRAPHICAL NOTE.—In preparing the story of the treaty of Dancing Rabbit, the writer has made free use of the following printed sources of information: Seven documents to be found in the *Court of Claims, The Choctaw Nation of Indians* vs. *United States,* viz:

1st. Journal of the Commissioners who negotiated the Choctaw Treaty of Dancing Rabbit Creek, September 15-28, 1830, pp. 2-14.

2nd. Deposition of James Stanley, of Carroll county, Miss., taken before the Commissioners, P. D. Vroom and J. Murray, at the house of Ben. Leflore, the 8th day of January, 1838, pp. 160, 161.

3rd. General deposition of Greenwood Leflore taken before the Commissioners, J. F. H. Claiborne and Ralph Graves, at Hopahka on the 24th day of February, 1843, pp. 429-431.

4th. General deposition of Captain Bob, alias Mingo homah, sworn to and subscribed before the Board of Commissioners, George S. Gaines and S. Rush, at Yazoo Old Town, on the 12th day of July, 1844, pp. 576-581.

5th. Deposition of Hiahka sworn to and subscribed before the Commissioners, Ralph Graves and J. F. H. Claiborne, at Hopahka, January 5, 1843, Vol. 2, pp. 1120, 1121.

6th. A letter from John H. Eaton, written at Washington, D. C., Dec. 19, 1854, and addressed to Messrs. P. P. Pitchlyn and others, *Choctaw Delegates,* Vol. 2, pp. 1279-80.

7th. A letter of R. H. Grant written at Washington, D. C., December 21, 1854, and addressed to Messrs. P. P. Pitchlyn and others, *Choctaw Delegates,* Vol. 2, pp. 1281-83.

Two more official records may be added to the above:

1st. Deposition of Grabel Lincecum taken before William Cabanis, J. P., Oktibeha county, Miss., November 30, 1835. [Ho. Doc. No. 663, 24th Congress, 1st Session.]

2nd. Hon. J. H. Eaton's Report to President Jackson, December 1, 1830. *Huntsville Democrat,* January 6, 1831.

Apart from the above official records the most important authority is Judge A. W. Dillard's *Treaty of Dancing Rabbit Creek* between the United States and the Choctaw Indians in 1830, in *Transactions of the Alabama Historical Society,* Vol. III., pp. 98-106.

A meager account of the treaty is to be found in W. T. Lewis' *Centennial History of Winston County, Mississippi.* These are a few facts received by Mr. Lewis from Colonel George S. Gaines.

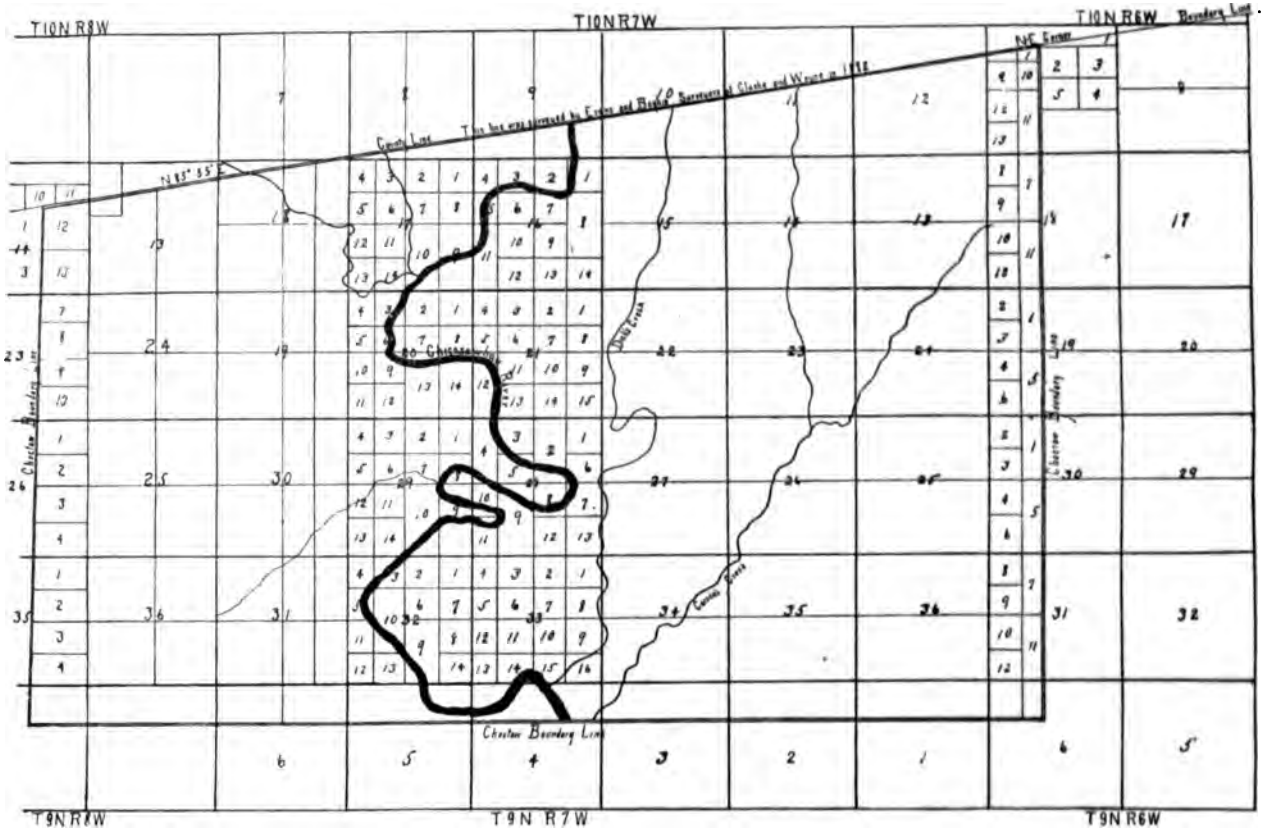
The manuscript materials pertaining to the treaty accessible to the writer are, a short account taken down by Colonel A. J. Pickett from a conversation with Colonel George S. Gaines, found in Pickett's *Historical Ingatherings,* a manuscript now in the possession of Thomas M. Owen, Esq., of Montgomery, Ala.; and a letter dated January 10, 1901, received by the writer from Captain J. M. Winston, of Ramsey, Ala., giving some facts received by Captain Winston from persons who were present at the treaty.

In addition to the above printed and written sources of information are some manuscript notes of conversation by the writer, August 27, 1901,

with Joe Jones, or Conteatubbee, of Kemper county, then about ninety-two years of age. Conteatubbee accompanied his grandfather, also named Conteatubbee, to the treaty and was present there four days. His recollections of what he saw and heard were very clear, vivid, and distinct.

It may be well to state that this account of the treaty is based, in a great measure, upon the Journal of the Commissioners, in some places, this Journal being the sole authority. The author of that Journal, whoever he may have been, has unquestionably suppressed many unpleasant facts pertaining to the treaty, and has in consequence, given an erroneous impression of the circumstances under which the treaty was made. A similar stricture can be made with regard to Major Eaton's *Report*, which is a very rose-colored affair.

MAP
of
Hiawanna Reservation
Wayne County
Mississippi



THE YOWANNE, OR HIOWANNI, INDIANS.

By Peter J. Hamilton.[1]

It is a very superficial view for one to think of the Indians and their remains as matters of curiosity only. It is being gradually recognized that the study of everything pertaining to them is not only interesting but valuable for the light it throws on the development of man as a race. Cut off from contact with other continents, they preserved their racial features and petrified customs down to modern times. Systematic study has begun almost too late for the best results, but much has been done and much still is possible. It is therefore a duty, and certainly a pleasure, for students in different parts of the country to interest themselves in all pertaining to the red man of their respective districts.

Mississippi is peculiarly rich in aboriginal history and antiquities. At the north were the unconquerable Chickasaws; in the middle and lower parts of the State, the Choctaws, uniformly friendly with the white races adjacent and lending themselves more readily perhaps than any other large tribe to the influences of civilization. Besides, many have even up to the present, never left the limits of the State and thus present a field for study at home.

The best way to study the Choctaws or any other tribe is to study the particular town or district most available to the particular investigator. In course of time the whole field will thus be gone over and the results can be better systematized than where one makes broad generalizations without sufficient data. It was a good sign when the Historical Society divided the subject among different ones for investigation. Let us therefore study at present not so much the Choctaws as a race as the particular town or series of towns at their southeast border known as the Yowanne, or Hiowanni, Indians.

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[1] A biographical sketch of the writer of this article will be found in the *Publications of the Mississippi Historical Society*, Vol. II., pp. 255-6.—Editor.

The history of the Yowanne Indians is interesting of itself and has the piquancy of being something of an archaeological problem as well. Their habitat was on the Chickasahay river a mile or two south of the thriving modern town of Shubuta. The river in this vicinity runs through rich prairie lands and is banked by high limestone cliffs on each side. The Indian language is full of figures of speech, dwelling largely on natural objects and sights, and, although they are not generally credited with being much impressed with scenery, it would be difficult even for savages to avoid the charm of their surroundings. The settlement was a large one, for no other part of the State offers in equal limits a greater number of mounds, as yet almost unexplored.

Of history, as the European understands this term, they had little. No great battle between the explorers and the aborigines occurred near there, none between the different Indian nations themselves, and no conflict of colonial times desecrated their fields or forests. From a very early date they pursued their uninterrupted development as the frontier town towards the southeast, a development, which, as well as savage conditions permit, illustrates the saying that happy is the people who have no history. No great man, as we count greatness, came from their wigwams. Almost the only notable site in the vicinity is the large post oak at what is now the extreme northeast corner of Wayne county, on the State line. Tradition says that there Geo. S. Gaines and Pushmataha held one or more conferences. And yet the Yowanne Indians are a favorable specimen of the Choctaws. While they hunted, they also planted and developed considerable trading ability. Possibly the principal feature of their story consists in the trading paths which stretched out north, east, south and west from their town. Bernard Romans says that they and their neighbors at Chickasahay were the only Choctaws who could swim; but, while that tribe was not famous for love of water, either externally or internally, no one now thinks so hardly of the other Choctaws as to believe that slander.

The name itself is an interesting study. As to what it means all are at sea. Gatschet[2] would seem to endorse the story which they told Romans that the name had something to do with the caterpillar or worm which eats the corn in wet weather. We all

[2] *Creek Migration Legend*, p. 109.

know this little green thing, squirming along to the choicest part of the blade and ear. And in a letter to me Gatschet says the Yowanne survivors in Louisiana even lately told him that "Wani" refers to this worm; but he seems now to be skeptical on the point and calls attention to the fact that the whole name Heyowani is a refrain in many Indian songs. This doubtless is a different word, but shows the sound, is not unusual. The spelling of the tribal name varies a great deal. On Danville's French map of 1732 it is spelled Youané, Bernard Romans has it Yoani in 1771, and William Adair somewhat later makes it Yowanne. Mr. H. S. Halbert, certainly a high authority, prefers Haiowanni, and others the more usual form Hiowanni.

According to Danville Youané[3] is the first Choctaw village as one comes from Mobile. He locates it on the east side of the river, but it is probable there were also people on the west bank. Mr. Harry Gray, of Boyce, in the immediate neighborhood, says that there was one town, but it lay on both sides of the Chickasahay, the larger part being on the west bank. The part on the east side was in section sixteen, and is probably the palisaded fort of Adair. In fact, there might very well have been several towns on each side, all in effect one settlement. Not far above it on the same river, which he names Son-la-houé, is a large (gros) village, which he names Chickasahay (Tchikachae). Yet further up stream he gives the town of Concha-tchitou, which he translates *Great Canes Village* (Grand Village des Cannes). Above there, where the headwaters of the Son-la-houé come nearest to some branch of the Tombigbee (Riv. des Tchicachas), is the heart of the country of the Choctaws, to Danville known as the "Chatas[4] or Flat heads, commonly called Tchaktas." Somewhat further one arrives at the last Choctaw village in the direction of the Chickasaws, being on the headwaters of this Riv. de l'Ecor-noir, River of the Black Bluff. Danville does not give a trade path to Mobile, but one is indicated by dotted lines, coming from the southwest toward the Choctaw country, which passes west of

[3] Danville's map will be found opposite p. 158 of Hamilton's *Colonial Mobile*, (Houghton, Mifflin & Co.) The first part of the name Cannes Jaunes is cut off by the edge of the plate, but otherwise the map is complete.

[4] This is really the Spanish word Chato, meaning flat. It occurs even in Brazil as a tribal name.

Yowanne through what is called Yellow Canes (Les Cannes Jaunes), the first Choctaw village in that direction.

Yowanne, however, had trails of its own. There was one or more southwardly to Mobile, branching to the Gulf coast at the mouth of the Pascagoula river, and one or more to the north. The Trading Path to Mobile led down on the west side of the Chickasahay and crossed this stream about six miles below its confluence with the Buckatunna. Perhaps a mile beyond this it crossed obliquely the Chickasahay Trading Path, or Pascagoula Trace, which led from the mouth of Pascagoula river northerly to the shoals and crossing of the Tombigbee at St. Stephens. The Yowanne Trading Path after crossing the Pascagoula Trace ran southeastwardly until it struck a point about a mile west of Citronelle, where it united with the Big Trading Path from the north.[5] This latter, or more strictly both paths so joined, crossed the route of the present Mobile & Ohio Railroad on or near the 31st parallel, thence continued down on the east side of this road, crossed Chickasabogue at its confluence with Bogue Homa, or Red creek, and terminated at Mobile. There was another trail which started from that part of Yowanne which was east of the Chickasahay river, and united with the Big Trading Path at the pine tree mentioned above. The authority for this statement is to be found in the text of the treaty of Hobuckintopa, made August 31, 1803. Describing the boundary line between the Choctaws and the United States, the preamble states that the line ran "up the channel of the Hatchee Comesa to the confluence of the Chickasaw-Hay and Buckhatannee rivers, thence up the channel of the Buckhatannee to Bogue Hooma or

[5] Mr. Halbert gives this further account of the Big Trading Path: After leaving the point west of Citronelle, it trended slightly west of north, crossed the Pascagoula Trace in about the center of township 6, range 4, west, Washington county, and about ten miles beyond coming to a noted pine tree, situated on the left bank of Bogue Homa, a tributary of Buckatunna. This pine tree stood at least within a few hundred yards of the Mississippi line, the exact distance not known. Leaving this pine tree, the path continued northerly up the east side of Buckatunna, passing by Isney in Choctaw county, where it crossed McClary's Path, thence northward between the Buckatunna and Okatuppa waters to Coosha town, which was situated on Lost Horse Creek in Lauderdale county, about three miles and a half southeast of Old Daleville. I feel pretty sure that the Big Trading Path was the route traveled by Captain Bernard Romans in 1771. It seems very clear also that the Big Trading Path was the basis of the old Tennessee road." (MS. letter to P. J. H.)

Red creek, thence up said creek to a pine tree standing on the left bank of the same, and blazed on two of its sides, about twelve links southwest of an old trading path leading from the town of Mobile to the Hewanee towns, much worn, but not in use at the present time."[6] This "old trading path" therefore had been abandoned prior to 1803. It would seem that the people living immediately on the Chickasahay made use of the Yowanne Trading Path already described, while the Yowanne people who lived more to the east, must, after the abandonment of the "old trading path" leading by the pine tree, have made another trail which united with the Big Trading Path in some other quarter.

After the founding of Mobile in 1702, or Fort Louis as it was officially named, the main trading road from there to Yowanne seems at all times to have been much used. This is true of the English, French and Spanish as well as American Mobile. Along it were carried all the articles of civilization so attractive to the savage heart,—gaily colored cloth, hatchets, fire-arms and, alas, fire-water, too, while in return the whites received deer skins and peltries generally, besides in time of distress Indian corn as well as the pumpkin and other vegetables which the white man had learned from the Indian to relish.

The Chickasahay Trading Path, or Pascagoula Trail, mentioned above, united with the Yowanne Trading Path about six miles below the confluence of the Chickasahay and Buckatunna rivers. This would be the route the Yowanne people would travel in going to the mouth of Pascagoula river. From the place where the two trading paths united, or crossed, the Pascagoula Trail trending northeasterly crossed the route of the Mobile and Ohio Railroad near State Line, then a few miles beyond it crossed the Big Trading Path in the center of township 6, range 4 west, Washington County, and then went on to its terminus at St. Stephens.

There was also at least one trail from Yowanne to the Chickasaw Nation. Adair mentions three trails that led from the Chickasaws down into the Choctaw Nation. When he visited Mobile he traveled the western trail, "the horse path that runs from the Chickasaws nearest the Mississippi to Mobile." It is impossible at this day, from the lack of records and tradition, to give any account of this western trail. But it went to Yowanne, which he

[6] 7. U. S. Stat. at Large, p. 80.

says lay nearly southeast of his camp. From this statement it seems that his camp was on the west side of Chickasahay river and on the south side of Shubuta creek. This gives us at least one point on the western trail. In the same connection Adair speaks of arriving at the outhouses of Yowanne, where he crossed the Chickasahay river to another Yowanne town, "the palisaded fort." The "outhouses" of Adair are evidently Ewana, the town laid down on the west side of the Chickasahay on Bernard Romans' map. Romans was there in 1771, noting the presence of traders and other Englishmen, and finding in this country both Creek and Choctaw picture writings, or "hieroglyphicks."

There were of course other trails to and from Yowanne but they cannot now be so well traced. On Cary's map of the Mississippi Territory there is one marked from Yowanne to Natchez and also from Yowanne to St. Stephens. It is a likely guess of Mr. Halbert that this is the same as the McClary trace, made by that lieutenant in 1799 from Natchez to St. Stephens. Just as the old explorers certainly used Indian trails for lack of better roads, it is not unlikely that the United States soldier widened and straightened an old Indian trail to transport his troops from Natchez to occupy the outpost at St. Stephens abandoned by the Spaniards.

So much for the town. What became of its people? It is said that some reside in Texas, but some of them were found by A. S. Gatschet as late as 1886 on Bayou Boeuf, at the Lamouri bridge, 20 miles southeast of Alexandria, La. Others of course may remain in Mississippi and doubtless others yet are among the Choctaws in Indian Territory. When the line was run between the United States and the Choctaws in the Mississippi Territory in 1805, the tradition, as given by an old settler, John H. Evans, was that when the chief, whose name was also Haiowanni, heard of the survey, he met the surveyors and told them that if they continued in the direction they were then going they would surely put him and his people within the bounds of the white settlements, and that to this they would not consent; that the surveyor must turn south and lay off a scope of country sufficiently great to leave them in the Choctaw Nation. For the sake of peace, the surveyors yielded to this request or demand. Commencing where they then were, which point made the northeast corner of the

Reservation, the surveyors ran a line due south five miles, then a line due west about eight miles, crossing the Chickasahay river, thence a line due north terminating at the point where the original line would have struck had they been permitted to continue. At the northeast and southeast corners they placed boundary stones. The turn south at the northeast corner was in a small prairie about 150 yards east of a small creek called Dry Creek. About 90 feet a little northeast of the turning point stood a large red oak, a noted one, as it was fully three feet six inches in diameter. About 10 feet from the ground there was a large growth of fungus or punk, which extended all around and projected outward about 18 inches. It was under this tree, so says tradition, that Haiowanni and the surveyors held their colloquy when he ordered them to turn south.[7]

The site of Yowanne is now marked only by some mounds and the usual arrow heads and other remains. No American town has grown up in its place. Railroads have left "high and dry" so many modern settlements that it is no wonder civilization has forgotten the existence of Yowanne. In some sense Shubuta may be said to be its successor, but as a deep chasm separates the

[7] Mr. Evans adds that "in the organization of Clarke county the Choctaw boundary line was designated as the south boundary of the county, which, of course, included the Haiowanni Reservation. Wayne county, however, claimed the Reservation, and there was a long wrangle between the two counties over the matter, until finally Clarke yielded the point. A survey was ordered that a direct line might be run from the northwest corner to the northeast corner of the Reservation. A. J. Graham, of Clarke, and John West, of Wayne, were appointed for this work, which, from some cause, they failed to do. At last, in 1881, the Legislature ordered the resurvey of the Choctaw boundary line from the northwest corner of Wayne county to the boundary line of Mississippi and Alabama, and that a direct line be run from the northwest to the northeast corner of the Haiowanni Reservation. J. W. Boykin, of Wayne and myself of Clarke were the respective surveyors. In our work, we found two mounds, one at the northwest and one at the northeast corner of the Reservation. I have heard that these mounds were made by the surveyors. From the northeast corner we continued our line until it struck the large post oak on the State line in section 29, township 1, range 18, east above mentioned. It stands exactly on the boundary line of Mississippi and Alabama, and it was the original northwest corner of Washington county, Alabama, before the formation of Choctaw county. This oak is marked on the map of Alabama, to be found in the *Eighteenth Annual Report of the Bureau of American Ethnology.* As an historical land mark, the common property of Mississippi and Alabama, is to be hoped that this noted tree will still continue to be protected by the people of the vicinity so that it may stand and flourish for many generations to come."

two histories as that cleft by the Chickasahay at the foot of the old Indian town. And yet whoever travels the lower Mobile and Ohio Railroad is passing through the Yowanne country and following in the main its trading route to Mobile; for here is one of the many instances of the white man's building a railway along an old trade road made and used by the red man long before the white man came.[8]

[8] Much of the detail above concerning the trails was unearthed by the painstaking inquiries of Mr. H. S. Halbert, to whom students of Choctaw history and remains must always feel indebted.

LOCATION AND DESCRIPTION OF THE EMMAUS MISSION.

By John H. Evans.[1]

The Emmaus Mission was situated upon a beautiful plateau, about 1,200 yards east of Buckatunna creek. To describe the location minutely, the mission was situated on the N. W. ¼ of the S. E. ¼ of section 18, township 1, range 18, east. It comprised an enclosed square of four acres, 140 yards each way. The eastern side of the enclosure was composed of pickets driven into the earth. The other sides consisted of a rail fence. The dwelling of the missionary stood in the northeastern corner of the square, about thirty steps south of the northern boundary of the enclosure, and about twenty steps west of the eastern boundary. The gate was in the northeastern corner, and between it and the house were several large post oaks. There was also a pair of stiles over the fence about twenty feet west of the gate. The houses on the mission grounds were all made of large hewn logs. The residence of the missionary was a large two-story building, with a partition running north and south, above and below, the partition of the lower story being made of logs, that of the upper story, of clapboards. A shed room made of clapboards formed the northwestern corner of the house. A piazza was on the east or front side of the house, where was the main entrance. Near this door and to the right of it was a stairway leading up about four feet to a platform and thence to the west, terminating in the upper story. A closet was under the platform. The mission library to the left of the door was formed by an opening about four feet long and five feet high, made in the wall by sawing out the logs. In this opening the shelves of the library were fastened,

[1] The Evans family is of Scotch and Irish descent. Jehu Evans, the father of John H. Evans, was born in Chesterfield district, S. C., Oct. 8, 1795. Sarah Pegues Hicks, the mother of the subject of this sketch, was a daughter of George Hicks, of Richmond county, N. C. Her family is in Clarke county during a period of more than seventy years. He was born Nov. 15, 1824, and died at DeSoto, Clarke county, Miss., Oct. 7, 1902.—Editor.

and the outside of the opening was then cased up with clapboards. By this economy of space the library took up no room. There was only one fire place, which was on the north side of the main, or front room. This room had two windows; a large glass window, protected by a batten shutter on the south, and a small window, protected by a sliding shutter on the north, to the right of the chimney. A door connected the front room with the partition room. This latter room had a large glass window, protected by a batten shutter, on the south. To the west was a door, through which one passed out upon a small piazza, with the door of the "shed room" on the right. The front or eastern room up stairs had two windows, one to the north, and the other to the south. The western room up stairs had only one window, which was in the south. A door way connected these two rooms.

A large post oak stood near the southeastern corner of the front piazza. Another one stood near the southeastern corner of the house. These trees stood about ten feet apart. The dining room stood about thirty feet south of the dwelling house and in line with the eastern end of it. The dining room was about twenty feet square, and the kitchen was built at its southeastern end, the two buildings being connected by a "stack chimney" with a fireplace on each side. The dining room had three doors, one facing the east, another the west, and a third the south and leading into the kitchen. There were two glass windows on the north. Many distinguished men have eaten in this dining room, among them Colonel George S. Gaines and the Choctaw chief, Pushmataha. In addition to the door connecting the kitchen with the dining room, the kitchen had a door on the east, another on the west, and a window on the south. There was a cellar under the dining room, and a projecting roof from the west end of the kitchen to protect the stairway that led down to the cellar. A portable dairy stood between the eastern doors of the dining room and the kitchen, and was protected by a shed that projected from these two buildings.

About thirty feet west of the kitchen was the storage house. It was eighteen feet by twenty, and stood east and west, with the door towards the kitchen. About thirty feet north of this house was the well, which had an old fashioned sweep. About forty feet due west of the dwelling house was the school house, in

which a Miss Skinner taught. It had a chimney on the northern side, and a door on the eastern side, with a window on the south and another on the west.

On the northwestern corner of the enclosure or park was the barn. Near it stood a large red oak. All along the western boundary of the enclosure were some large red oaks and hickories. Thence eastward on the southern boundary were some chinquapin and chestnut trees, which extended to the storage house. There was a post oak between the storage house and the kitchen, also one between the kitchen and the southeastern corner of the square. A few china trees stood in front of the missionary house, near the gate leading into the garden.

At the northeastern corner of the square the ground began to slope. From this place the garden extended seventy yards to the east, seventy yards to the south and thence seventy yards to the west, striking the eastern boundary of the enclosure. On the southern side of the garden and covering the remainder of the block, was the cow lot.

There was a large wagon gate near the northwestern corner of the enclosure, immediately south of the barn. There was another large wagon gate in the northeastern corner of the cow lot. There was a small gate in the northwestern corner of the cow lot, which connected it with the enclosure. There was also another small gate near the southeastern corner of the enclosure, on the southern line of the fence.

The public road running west from the "Jewel Stand" passed immediately along the northern side of the square.

The Indian graveyard connected with Emmaus Mission was situated in the extreme northeastern corner of the N. E. ¼ of N. W. ¼ of section 19, township 1, range 18, east.

My father, Jehu Evans, bought the tract of land embracing Emmaus in the fall of 1833, during the land sales at Augusta. He paid Mr. Gage three hundred dollars for his improvements, and in January, 1834, moved into the houses. In 1846, my father moved into a new house, which he had built near where the stiles were, and all the houses on the mission grounds were finally torn down and used for other purposes.

towns and settlements, and he is very confused and inaccurate as to those of Newton and Jasper counties. His knowledge of the towns and settlements of Neshoba, Newton, and Jasper counties seems to have been based largely on Indian hearsay.

The writer, in this paper, will confine himself strictly to the Choctaw territory, leaving the Chickasaw towns on Romans' map to some other investigator. One tract of Choctaw country, however, will not be touched upon—that embraced in Newton county—as it will be treated exhaustively in a paper by Captain A. J. Brown of that county.[1] In addition to this, the writer will reserve the Jasper county towns for a subsequent paper.

Romans' List of Towns and Settlements.

1. *Panthe.*—The Indian towns in Lauderdale county on Ponta creek and its tributary, Lost Horse creek, were generally called the "Coosha towns." Romans has evidently transposed the names in the case of Panthe or Panta and Coosha, or "Coosa," as he spells it. He has located the last-named town (number 3 on his list) on the head of Ponta creek, or "Coosa creek," as he calls it. Coosha Town proper, however, was located on Lost Horse creek. It will be fully described in another part of this paper.

2. *Sapeesa.*—This Kemper county town was located on the north side of Black Water creek, apparently about midway between Shomo Takali and the branch emptying into Black Water, known as Mineral Spring branch. Its exact location has not been identified.

3. *Panta* or *Panthe.*—Reference has been made to Romans' transposition of names. This town (number 1) was the old historic town of Coosha, or according to Choctaw orthography, "Kusha," u, nasal. On the reduced copy of Romans' map in Dr. Riley's *School History of Mississippi,* Coosa creek has been grievously transformed into "Goose creek."

There are two prongs of Lost Horse creek, a tributary of Ponta creek. One of these prongs comes from the west and the other from the south. They unite in the northeast quarter of section 30, township 8, range 16, east. The town was situated on the north side of the prong coming from the west, and was distant about

[1] See article entitled "Antiquities of Newton County, Mississippi," *infra.*

four miles southeast of Old Daleville, now known as Lazelia. There is a strange error on Romans' map in having this town located on the south side of the creek.

Coosha Town had a most delightful situation. It began near the confluence of the two prongs and extended a mile or more up the prong on which it was situated. About one-fourth of a mile north of the point where these streams unite is a hill with a flat top, upon which stood in the late '20's and the early '30's the dwelling and storehouse of Charles Juzan, son of Pierre Juzan. Traces of these buildings can still be seen. Juzan died about 1840. His wife, Phœbe, was the daughter of Oklahoma, the leading man or chief of the Coosha people. He was a nephew of Pushmataha, whom he succeeded as mingo of the southeastern district, but was soon deposed on account of his dissipated habits, Nittakechi being elected mingo in his stead.

Coosha Town to the red people had many attractive features. In addition to corn and vegetable patches, it had orchards of peaches and plums. The waters of the two streams abounded in fish. Bears, deer, turkeys, squirrels, panthers, and wild cats made their homes in the large dense canebrake lying in the fork of the two prongs of the creek. The high wooded hills and bluffs overlooking this canebrake also added much to the picturesque and romantic appearance of Coosha Town. No wonder it was a famous town among the Indians.

Near the eastern border of the town, at the terminus of a knoll extending out from the creek, can be seen the graves of the Coosha people. This cemetery, now in a farm, is the last abiding memorial of Coosha Town. Nahotima, the sister of Pushmataha, and Tapena Homa, here sleep their last sleep. Tradition says that Oklahoma also lies buried in this cemetery. But his nephew, Jack Amos, of Newton county, disputes this and says that Oklahoma was buried on his farm on the south side of the creek, about a mile distant from the town. The Coosha cemetery comprises about half an acre and is now covered with a growth of young sweet gum trees. It has always been carefully preserved by the different owners of the farm.

After the death of Oklahoma in 1846, the people gradually abandoned Coosha Town. Plum bushes soon overspread the place

and these in turn were succeeded by a growth of pines. Even now but little of the place is in cultivation.

Coosha derives its name from "Kushak," or "Kusha" (u nasal), which means *a reed,* sometimes *a reed-brake,* so called, in this case, from some reed brakes in and near the town.

The large dense canebrake that once covered the valley between the two creek prongs was, eighty years ago, a favorite place for hiding horses, stolen by white horse thieves from plantations in Mississippi and Alabama. Hence the Choctaws gave the creek the name of "Issuba in Kannia bok," *Lost Horse creek.*

The trail that led from Mobile northward, known as the "Big Trading Path," crossed Lost Horse creek about two hundred yards below the confluence of the two prongs, and entered the town on its east side. The trail divided at Coosha Town, one path leading northeast and crossing Petickfa just below the mouth of Black Water, the other going to "Hankha aiola," thence through "Yashu Iskitini," *Little Yazoo,* and thence to Holihtasha, Fort Town. The latter trail was travelled in 1772 by Captain Bernard Romans and in later times by Colonel George S. Gaines, both of whom in their writings have left notice of Coosha Town.

4. *Chomontakali.*—This word, restored to its correct Choctaw orthography, is "Shomo Takali," which means *Hanging Moss,* so named on account of the profusion of Spanish moss hanging on the trees of the surrounding forest.

Shomo Takali lay between the two head prongs of Black Water creek, in Kemper county. The town extended east and west about two miles and was about a half mile wide. To describe the location minutely, it was situated in the southern half of section 13 and the southern half of section 14, township 9, range 15, east. The town really consisted of eight hamlets, with patches of corn and vegetables intervening. Commencing on the west, the first hamlet was in the center of the southern half of section 14. The second, third, and fourth were situated equidistant from each other, and extended along and near the southern line of section 14. The fifth was near the center of the southwest quarter of section 13. The sixth was on the east side of the southwest quarter of section 13. The seventh was on the west and south side of the southeast quarter of section 13. The eighth was near the northeast corner of the southeast quarter of section 13. The residence

of the mingo of 1830, whose name was "Nita Homma," *Red Bear,* was in the third hamlet. About twelve hundred yards south of the site of his house, on the north bank of Black Water, is a prehistoric mound, about twelve feet high.

.There were three cemeteries in Shomo Takali. One was between the third and fourth hamlet in section 14, the second was between the fifth and sixth hamlet in section 13, and the third was between the seventh and eighth hamlet in section 13.

There was a trail that ran east and west through Shomo Takali, connecting Hankha aiola on the east with Mokalusha Town (in Neshoba county) on the west.

John Spinks was the first American settler in Shomo Takali, settling there in 1834. In 1835, Samuel Varner, of Wilcox county, Ala., who was an old friend of Mr. Spinks', came to Shomo Takali to visit him. Mr. Varner was then quite an old man. On one occasion in his boyhood—it is not known whether in Tennessee or Georgia—a marauding band of Creek warriors made an inroad into the neighborhood in which he lived. They killed the elder Varner in the field, where he was plowing, and took prisoner his son Samuel, who was with him. The boy remained with the Creeks many years, learning their language, adopting their manners and customs, in short, becoming, in every respect, a genuine savage. About the time of attaining manhood, in some manner, young Varner was redeemed from captivity. While on this visit to Mr. Spinks, in 1835, Mr. Varner recognized the place, and told Mr. Spinks that when a captive boy he had once visited Shomo Takali with a trading party of Creek Indians and remained there several days. He pointed out to Mr. Spinks several places on the old town site that he clearly and vividly remembered. Mr. Varner commented on it as a singular circumstance that he should be permitted in his old age to visit a spot where he had spent several days in his youth, a captive boy among the Creek Indians.

Before dismissing Shomo Takali, some reference should be made to its hunting lodges, which were a number of cabins that stood upon the high hills, covering an area of about fifty acres, on the east side of the northwest quarter of section 21, township 9, range 15, east, about two miles distant from Shomo Takali. These lodges occupied a most picturesque position, standing amid the massive moss-clad oaks with which the high hills were

crowned, and overlooking the deep open valley of the Chickasahay to the west, which even in mid-winter was always clothed with a green luxuriant growth of vegetation. Along the edge of the valley, at the foot of the hills, were many mineral springs and salt licks, making the place the never-failing resort of numerous deer. These attractions made this valley the favorite hunting ground of the Shomo Takali people. During the hunting season, the lodges on the hills were used by their most skillful hunters, who never failed to carry back to their town and people most ample supplies of the fattest and juiciest venison.

5. *Oaka Loosa.*—In correct Choctaw orthography this word is "Oka Lusa," and signifies *Black Water.* There were several settlements on Black Water creek, the sites of some of which have not as yet been identified. On Danville's map of 1732 there is a Black Water town, by him spelled "Oke Lousa," on the south side of the creek, apparently, not many miles distant from its confluence with Petickfa. The "Oka Lusa" of Romans' map is a perplexing problem, for it is not situated on Black Water at all, but on White's Branch in Kemper county. This branch empties into Petickfa on its south side, in section 32, township 10, range 16, east. There are numerous evidences of a town site on the west side of White's Branch, extending across Petickfa. This was evidently the Oka Lusa of Romans' map. It may be possible that White's Branch was also called "Oka Lusa," *Black Water,* in Romans' day. If so, it would solve the problem.

6. *Haanka Ullah.*—In correct Choctaw orthography this word is "Hankha aiola." The name is often incorrectly translated *Bawling Goose* and *Crying Goose.* "Hankha aiola," literally translated is *Wild goose there cries.* "Hankha," *wild goose;* "ai," the locative preposition prefixed to the verb, "ola," *to cry, to utter a note.*

This town was situated on a long flat-topped ridge between Petickfa and Black Water, in Kemper county. This ridge has an area of several hundred acres and its general trend is northwest and southeast. The town consisted of numerous hamlets, scattered over the ridge, with corn and vegetable patches and peach and plum orchards intervening. There were and still are numerous springs along the declivities of the ridge, which furnished an abundance of water to the people of the town. To be very ac-

curate in giving the situation of Hankha aiola, it was mostly in section 2, township 9, range 16, east; but some portions of it lay along on the western borders of sections 1 and 12. The most populous part of the town was about the center of section 2.

About five hundred yards southwest of this center, near the head of a reed brake branch which runs into Black Water, there was in the old Indian times a pond of water, about seven acres in area, which was a famous resort of wild geese, ducks and other water fowls. From this pond the town received its name. The pond in some places was about twelve feet deep, and it was surrounded by oak woods. Men who saw this pond thus embosomed in the primeval forest, sixty years ago, describe the place as one of wild and romantic beauty. The pond, as the evidence at that day plainly showed, was formed as follows: A trail led from the town southward down the hill, across the valley, which is about fifty yards wide, and up the opposite hill. The rains washed the soil along this trail from the two hills and finally made a levee, which extended entirely across the valley and dammed the waters above it. The creation of this pond is an evidence of the great antiquity of Hankha aiola. It is self-evident that the town existed before the formation of the pond, and it doubtless required one or more centuries for the rains to wash down enough soil from the hills along the trail so as to form the levee. In the aboriginal days, the washing of the soil in a trail was not so great and rapid as is the case at the present day, owing to the changes incident to the white man's civilization. Whatever name this Indian town may have had before the making of the pond, it evidently received the name "Hankha aiola" after that time.

The writer is familiar with the similar case of a small pond near the head of a small branch in Neshoba county, which was formed by the washing of the soil down an Indian trail.

In 1852, Mr. Edward Burridge felled the forest, cut the levee, and drained the pond at Hankha aiola. Its wild beauty thus vanished forever before the axe and spade of the white man's civilization.

About a quarter of a mile southeast of the site of the center of Hankha aiola can be seen the cemetery of its people.

At the time of the treaty of Dancing Rabbit, in 1830, Anumpulitubbee was the chief of Hankha aiola. His cabin stood upon a

ridge, about a quarter of a mile east of the pond. A sad and singular event occurred in the life of this chief. Early one summer morning, some years prior to the treaty of 1830, an infant child of Anumpulitubbee was crawling in the yard, on the north side of the cabin, when all at once a large eagle swooped down upon him and bore him away in his talons. The mother heard the child scream, and ran to his rescue, but it was too late. The eagle soon bore the child far away out of sight, and nothing was ever seen or heard of him afterwards. This incident produced a great impression upon the Hankha aiola people. But according to their customs, in due season, they held their funeral obsequies over the lost child.

The people of Hankha aiola abandoned the place in the late '30's, some of them emigrating west to their new nation, others joining other Choctaw communities in Mississippi.

Many interesting relics have been found on the site of Hankha aiola, some of them belonging to the stone age, and others to modern times. Among the latter may be mentioned some silver coins of Charles III. of Spain, which are evidences of Choctaw traffic with the Spaniards at Natchez and at Pensacola. A silver medal was also found on the town site a number of years ago.

The old Jackson and Narkeeta road traverses the site of Hankha aiola. This road was originally an Indian trail, which passed through several Choctaw towns, three of which are recorded on Romans' map, Hankha aiola, Shomo Takali and West Mokalusha. A large part of Hankha aiola is now embraced in the farm of Mr. George W. Merrell, to whom the writer is indebted for much information in regard to this ancient Indian town.

7. *East Yazo Skatane.*—In correct Choctaw orthography this word is "Yashu Iskitini," which means *Little Yazoo.* The "East" was prefixed to it by Romans to distinguish it from West Yazoo in Neshoba county, which was a much larger town.

There is a creek in Kemper county known as Yazoo creek, which empties into Fetickfa on its north side, in section 35, township 10, range 17, east. About a mile above its mouth, this creek forks, the western prong retaining the name of Yazoo creek, the eastern prong being known as Flat creek or Flat Branch. Yazoo creek is not laid down on Romans' map, although he has indicated the Choctaw settlements on that stream and its prongs.

Little Yazoo Town lay on both sides of Yazoo creek, between its mouth and the fork which is about a mile above. It seems to have had but a scant population. After the treaty of 1830, a large portion of the town or settlement was included in the improvements of a noted Indian, named Nocky-ho-mah-hah-cho (Naki homma hacho), who resided on it until his death in 1844. His name signifies *Mad Red Arrow.* "Hacho" or "Hadjo" is a Creek word, meaning *mad, crazy,* and was adopted by the Choctaws as part of a man's war-name.

The cemetery of the Yazoo people was on a high bluff on the left bank of Petickfa, about a mile above the town. The Choctaw burying grounds were always upon some elevated spot or hill, or if the town was in a valley, upon the highest knolls or bluffs.

A notice of Little Yazoo Town can be seen in Col. A. J. Pickett's manuscript *Historical Ingatherings,*[2] "second conversation with Col. G. S. Gaines," page 5.

8. *Ebita poocola skatane.*—Romans, as all the evidence shows, had but little knowledge of the Choctaw language, and wrote many Choctaw names as they sounded to his ears. Restored to its correct form, this settlement, which was on the western or main prong of Yazoo creek, was "Ibetap okla iskitini." "Ibetap" means the *fountain-head of a stream,* and the head of this western prong was no doubt considered the main fountain of Yazoo creek. Literally translated, the name of the settlement is *Fountain head's Little People,* the word *Little,* "iskitini," showing that it was a smaller settlement than "Ibetap okla chitto," the settlement numbered 19 on Romans' map.

9. *Imonglasha Skatane.*—The correct spelling of this settlement is "Imoklasha Iskitini," *Little Mokalusha,* to distinguish it from Big Mokalusha in Neshoba county. The settlement was on the east prong of Yazoo creek, now known as Flat creek. "Imoklasha," first "a" in "asha" nasal, signifies *Their people are there,* referring to the opposite phratry.

10. *Cutha Aimethaw.*—The writer can do nothing with this settlement. Romans here seems to have been bewildered in his topography, and has made a hopeless botch in the spelling of the name. The subject is reserved for future investigation.

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[2] A large manuscript book now in the possession of Thomas M. Owen, Esq., of Montgomery, Ala.

11. *Ayanabi.*—The creek on which this town was situated is not laid down on Romans' map. The correct Choctaw form is "Iyanabi," or "Yanabi," and means *Ironwood.* Yannubbee Town was situated on Yannubbee creek, a tributary of Petickfa, and was about eight miles southwest of De Kalb. It was situated mostly in sections 22, 26, and 27, township 10, range 15, east. For a sketch of this Choctaw town, generally spelled "Yannubbee," the reader is cited to the *Publications of the Mississippi Historical Society,* Vol. III., pp. 368-369. And for the story of the military execution of the Yannubbee renegades, to the *Transactions of the Alabama Historical Society,* Vol. III., pp. 212-213. Yannubbee Town will thus be dismissed with the statement that there were Indians living in the place as late as 1842.

12. *Oka Altakala.*—If this is "Oka Alhtakala," which means *between the waters,* from its position on the map, it must be the name of a small settlement immediately in the confluence of Petickfa and Yannubbee creeks.

13. *Escooba.*—In correct Choctaw this word is "Oskoba." The town of this name was evidently a few miles east or northeast of Yannubbee Town, perhaps on or near Petickfa, but certainly, as is evidenced by its name, near some reed brake. Oskoba is worn down from "Oski holba," "Oskolba," "Oskoba." "Oski," *cane;* "holba," *like, similar, cane-like,* that is *reed, reed brake.* The word is used synonymously with "Kushak."

14. *East Coongeeto.*—This word is often spelled "Cooncheto." According to the writer, it is a compound, worn down from "Kushak" (u nasal) and "chitto," *big,* the name meaning *Big Reed brake.* For the present, all that can be said about its traditional location is that it was near Moscow. Future research may give us the precise location. East Cooncheto was destroyed in the Choctaw civil war of 1764.

15. *Lukfa.*—In correct Choctaw this word is "Lukfi," and means *earth, dirt.* Apart from the fact that it seems to have been located on the head waters of some of the prongs of Sukenatcha, nothing further can be said about it.

16. *Bogue Toocolo chitto.*—This word is correctly spelled "Bok Tuklo chitto." It means *Two Big Creeks,* that is, the confluence of two big creeks. As is evidenced by the name itself, as well as by its direction from Olitassa, this town was situated at the

confluence of Running Tiger and Sukenatcha, about four miles northwest of De Kalb. Running Tiger is a translation of the Choctaw name "Shakbatina Baleli;" "shakbatina," *the short-tailed wild cat,* and "baleli," *to run.* Reliable Choctaw tradition also confirms the location and name of this Indian town.

17. *Yagna Shoogawa.*—In this name the first word is "Yakni," which means *land, country.* Can the second be a clerical slip, or a corruption of "achukma," *good,* making the name of the place "Yakni achukma," *good country?* About four miles above the mouth of Running Tiger and emptying on its east side is a branch called Indian branch. Tradition says that there was once an Indian town on this branch, which town, judging from its direction and distance from Bogue Toocolo Chitto, must have been the Yagna Shoogawa of Roman's map.

18. *East Abeika.*—Abeika is "Aiabeka," which means *Unhealthy Place.* This settlement, not only from Indian tradition, but from its location on Roman's map, was at the mouth of Straight creek, including, it seems, a small area of country on the south side of Sukenatcha. *Straight Creek* is a translation of the Choctaw "Bok Apissali." It empties into Sukenatcha in section 24, township 11, range 16, east. Romans has failed to lay this creek down on his map. In this connection, it may be stated that Dr. A. S. Gatschet has certainly made an error in his copy of Roman's map, in confusing the upper part of Sukenatcha with Bodka where he writes, "probably runs into Noxubee creek."

19 *Ebita Poocola Chitto.*—This name, as in the similar case of number 8, is badly spelled for "Ibetap okla chitto," literally translated, *Fountain-head Big People,* that is, a large settlement on the fountain head of some stream. The writer thinks, by way of conjecture, that this settlement may be located on Straight creek.

20. *Chooca Hoola.*—This name, "Chukka Hullo," means *Beloved House,* or if plural, *Beloved Houses.* Nothing can be said as to its location, only that it was on the north side of Sukenatcha, somewhere between the mouths of Running Tiger and Straight creek.

21. This name is perhaps "Oka Hullo," meaning *Beloved Water.* From its position on the map, it was a settlement on and near the mouth of Sanootee creek, a small stream south of De

Kalb, running east and emptying into Petikfa. This stream is not laid down on Romans' map.

22. *Olitassa.*—In correct Choctaw this word is "Holihtasha," that is, "Holihta asha," literally translated *Fort is there.* The name is translated on old maps "Fort Town." De Kalb occupies the site of this ancient town, which was the most noted town in what is now Kemper county. It had two chiefs and contained over a hundred cabins. It was a kind of capital for the neighboring towns for twenty miles or more around. Once a year delegates from all these towns met in Holihtasha to make new laws. Tapena Hadjo was a noted chief in Holihtasha during the first three decades of the nineteenth century. De Kalb is often called Holihtasha by old Choctaws.

23. *Cuthi Uckehaca.*—This settlement seems to have been on and near the mouth of Parker's creek, which empties into Petickfa in section 30, township 10, range 17, east. This creek is not laid down on Romans' map. Can the name of this settlement be a very currupt spelling of "Kati Oka hikia," which would mean *Thorn-bush Standing in Water?*

In the southwest corner of Kemper county there is a settlement and creek called "Rooskoos Tokali." The "R" is evidently a clerical slip for "P," and the name restored to its correct Choctaw spelling is "Puskus Takali," which means *Hanging Child.* This settlement, from its position, seems to have been the same as Kusha bolukta, of which an account can be seen in the *Publications of the Mississippi Historical Society,* Vol. III., p. 369. A little northeast of this settlement is a small settlement not named, which evidently must be the Tali Chuluk settlement on the creek of the same name.

Romans has these Kemper county settlements marked "Oypat Oocaloo," which is a corruption of "Ahepat Okla," which means *Potato-eating People.* This name was afterwards extended so as to embrace the entire northeastern district, ruled over, in the nineteenth century, first by Mingo Homastubbee, and afterwards by his son, Mingo Moshulitubbee. The word "ahe," in the name of this division of the Choctaw people, refers to the native hog potato, which, in ancient times, was a common article of food among the southern Indians. To make a palatable diet, these wild potatoes were first hung up in the sun for a few days until

they became well dried. After this, they were boiled in a pot and then eaten. The Choctaws of the present day generally call the hog potato "lukchuk ahe," *mud potato,* to distinguish it from the sweet and Irish potato.

24. *Osuktalaya.*—This name was evidently intended for "Oksak talaya," which may be translated *Hickory Grove.* The farther one gets from Romans' line of travel, the more and more confused; and Dr. Gatschet's county lines, while to a great extent approximately correct, from the nature of the case are not infallible. As an illustration, Yazoo Town in Neshoba county was very near the Kemper county line, but Dr. Gatschet's line throws it several miles over into Neshoba county. Hence it can not be stated positively whether the settlements numbered 24 and 25 were in Neshoba or Kemper. Their locations are not as yet identified.

25. *Tonicahaw.*—Perhaps "Tonik hikia," *Standing Post.*

26. *West Abeika.* Location not yet identified.

27. *West Yaso.*—This place was so called to distinguish it from Little or East Yazoo in Kemper county. In Choctaw this word is "Yashu." The town, the site of which is now called Yazoo Old Town, is situated in Neshoba county, near the head waters of Oktibbeha creek, in sections 13 and 24, township 10, range 13, east. It was a noted Choctaw town, and is often mentioned in the government records. Tecumseh visited the place in the fall of 1811. Tanampo-eshubbee was mingo of the town at that time and continued to hold the chieftainship until some years after the treaty of Dancing Rabbit. The commissioners appointed to investigate the Choctaw claims under the 14th article of the treaty of Dancing Rabbit held their session at Yazoo Town, from the 6th of April to the 24th of August, 1843.

28 and 29. *Cabea Hoola* and *Okapoolo.*—No information can be given in regard to these two places.

30. *West Congeto* or *Cooncheto.*—This settlement began about two miles west of Yazoo town and extended some distance up the country almost to the vicinity of Sand Town. It was called West Cooncheto to distinguish it from East Cooncheto.

31. *Kaffetalya.*—On modern maps this name is spelled "Coffedelia." Its correct Choctaw orthography is "Kafi talaia," and may be translated *Sassafras thicket.* The writer does not agree

with Dr. Gatschet in his Yuchi theory about "Kafi talaia."[1] This Choctaw town or settlement was, for the most part, on Owl creek, in section 21, township 11, range 13, east, Neshoba county. The most populous part of the town was on the south side of the Philadelphia and Somerville road, between the ten and eleven mile posts. There is a tradition that this town was once captured by a Creek war party.

32. *Schekaha.*—This is a very much mutilated name derived from "Shinuk Kaha," generally translated *Sand Town.* A literal translation would be, *Lying in the Sand.* Sand Town, or Shinuk Kaha, was situated about seven miles a little north of east of Philadelphia. The town stood upon a flat crescent shaped ridge, from which issues the headwaters of Buck-Horn branch, a tributary of Ocobly creek. There were numerous springs all along the declivity of this ridge. The present Sand Town church probably occupies the center of the old town. This church stands in the northeast quarter of the northwest quarter of section 19, township 11, range 13, east.

Yockana Homa, "Yakni Homma," *Red Land,* was the medal chief of Shinuk Kaha in the last part of the 18th century. He was one of the Choctaw officials that negotiated the treaty of Hopewell.

There is a tradition among the Bogue Chitto Indians in regard to Shinuk Kaha, which runs as follows:

Once upon a time, many long years ago, a small Creek war party made an inroad into the Choctaw country and secreted themselves in ambush near Shinuk Kaha. It was in a dry summer season, and one of the springs near the town becoming dry, the people had to resort to another, half a mile distant. One morning as a woman of Shinuk Kaha, on her way to this spring, was in the act of stepping over a log, a Creek warrior, lying on the other side of it, seized her by the leg. The woman struggled out of his grasp, ran back to the town and told the affair to her people, but her story was not believed. The next day, another woman, who was going to the spring, soon came running back, and she too reported having seen a hostile warrior. The Shinuk Kaha people were now satisfied and straightway their warriors armed themselves and went forth in quest of the foe. The lurk-

[1] See Gatschet's *Migration Legend,* Vol. 1, p. 19.

ing place of the Creeks was soon discovered, from which they were routed and driven into a low reed-brake near by. The Choctaws surrounded the place on all sides, but knew it would be certain death to any man to enter the reed-brake. Knowing that the Creeks could not be dislodged by ordinary methods, the prophets, who were always important factors in Indian warfare, went to work to make rain so as to inundate the swamp and make the Creeks come forth. All day they rehearsed their mysterious rites. As usual on such occasions, one part of their performance was to set fire to a tree which had been struck by lightning. Thy all then marched around this burning tree, time and again, chanting a song. One of the men in the procession carried a black flag. This black flag symbolized a black rain cloud. While performing all this charlantanism, the prophets assured their credulous people that they would make rain before the next day, and advised them to make shelters for themselves so as to keep their guns dry for the coming destruction of their foes. It so happened that a tremendous rain fell that night, and by morning the swamp was inundated several feet deep in water. The Creeks, in danger of drowning, came forth upon the hill. Their guns were wet and useless, and they all, consequently, fell an easy prey to the fire of their foes, who thus gained a victory without the loss of a man. Although tradition is silent on the subject, the prophets doubtless got a big fee for their services by claiming and appropriating to themselves a very large share of the spoils of the slain Muscogee warriors. Such is the war legend of Shinuk Kaha.

33. *Oka Coopoly.*—This settlement, as its name plainly shows, was on Ocobly creek in Neshoba county. The name was perhaps given to the creek on account of its being a good fishing stream, where the fish bite well. "Oka akobli," *Water where the biting is.*

34. *Alloon Looanshaw.*—Philadelphia occupies the site of this ancient Indian town. The name in correct Choctaw orthography is "Halunlawi asha," or, in rapidity of speech, "Halunlawasha." "Halunlabi," or "Halunlawi," is the Choctaw name for the *largest sized bull frog;* "asha," *is there, are there.* "Halunlawasha" thus means *Bull frogs are there,* or, a concise rendering, *Bull Frog Place.*

About a mile south of Bull Frog Town on the banks of Funny

Yockony creek, "Fani Yakni bok," *Squirrel Country creek,* is a Choctaw burial mound, which is the last existing memorial of this aboriginal town.

35. *Lushapa.*—Nothing can be done with this name. A tributary of Kentarky creek emptying into it on the west, named "Lussalaka," which means *Swamp-edge,* or *border.* As the position of Lushapa corresponds somewhat with that of Lussalaka, may not Lushapa be intended for this creek or settlement, Romans failing to get the correct sound or form of the name?

36. *Conchatikpi.*—This is "Kushak tikpi creek," a tributary of Kentarky, in the southern part of Neshoba county, called by the white people, "Coonshark." Romans has it located too far to the west and not far enough to the south. This creek and the outlying country through which it flows, on which was this ancient settlement, is still called by modern Choctaws, "Kushak tikpi," u in Kushak, nasal.

"Kushak," as has already been stated, means *Reed-brake.* "Tikpi" has no exact equivalent in English. It means any *bulge* or *enlargement,* as *the shoulder of a bottle,* or *the shoulder of a chimney, any round projecting object,* as a *round knot* on a tree, or the *round projection* of a high bank or bluff, *a protuberance, a knob,* in short, *the round* or *the bulging part* of any material thing, whether large or small,—all these are embraced in the Choctaw word "tikpi." There is a high round knob-like bluff, very prominent to the eye, at a certain place on this creek near a reed brake, a kind of diminutive promontory from which the creek received the name of "Kushak tikpi." Hence "Kushak tikpi" may be translated *Reed-brake Knob.*

A similar case of tikpi occurs in the case of Hacha tiggeby in Alabama. This stream, correctly spelled "Hachcha tikpi," may be translated *River Knob,* so called from a round bluff on the Tombigbee, as can be seen article first of the treaty of Fort Confederation, where in describing the Choctaw boundary line, it speaks of it as "terminating on the Tombigbee at a bluff by the name of Hacha Tiggeby."

Tallatikpi in Alabama is doubtless "Tali tikpi," *Rock Knob.*

37. *Oka Chippo.*—Perhaps this name was intended for "Oka shippa," which means *Water run down,* so called on account of its scant waters. This place has not been identified.

38. *Cuctachas.*—This is the noted town of Cushtusha, restored to its correct Choctaw orthography, "Kashtih asha," "Kashtasha," which means *Fleas are there,* or *Flea Place.* The town was situated on the south side of Custusha creek, about three miles a little south of west of Yazoo Town. Many years ago it was embraced in the farm of Mr. Mark Warren. For the legend of this town see Claiborne's *Mississippi as a Province, Territory and State,* p. 518.

39. *Consha Consapa.*—The spelling of this name is clear evidence of Romans' slender knowledge of the Choctaw language. "Kushak osapa," is the form and means *Reed-brake field,* surely not a field in a reed-brake proper, which was beyond the Choctaw progress in agriculture, but a field or fields *near* a reed-brake. No information can be given as to its exact locality, only from its position on the map, it must have been on or near some reed-brakes somewhere east of Mokalusha.

40. *West Imongalasha.*—This place was so called to distinguish it from Little Mokalusha in Kemper county. As stated "Imoklasha" is the correct form of the name. This most notable Choctaw town in Neshoba county, was situated upon the headwaters of Talasha creek. The houses of the town, with the small fields intervening, covered an area of three miles long, north and south, and a mile and a half wide, east and west. The town was situated generally in sections 4, 9 and 16, township 9, range 13, east.

Mokalusha is often mentioned in government records. But the most noted event in its history was the visit of Tecumseh in the fall of 1811. The council held there on that occasion was upon a hill, situated about the center of the eastern edge of the town. This hill is now occupied by the residence of the late Colonel James Wilson.

About 1824, Mokalusha wasin a great measure abandoned on account of the ravages of the smallpox. The Indians when suffering with the intense pain of this disease, would rush to the water and throw themselves into it, an action causing inevitable death. Hence the mortality was very great among the Mokalasha people.

Commencing on the northern boundary of Mokalusha, there apart, and having distinct names. Beginning south and going was a series of hamlets extending to the north, about half a mile

north, these hamlets were Yaneka, Chukkilissa, Onaheli, Nanih aba and Bihi Konlo. "Nanih aba," signifies *Hill above,* and the name no doubt is the same as Nannihubba, in South Alabama, a word which has aroused some philological controversy.

There were also two names in Neshoba county. One of these, Ocolo falaya, means *western party.* This correctly spelled is "Okla falaya," *the long settlement* or *people,* a name, as in the case of Ahepat Okla, extended in after years, so as to embrace the large western district under the jurisdiction, first of Puckshenubbee, then of Colonel Greenwood Leflore.

The other, Sapa Chitto, means *Big corn field.* The correct form of this expression is "Osapa Chitto." It was a large settlement, and embraced the scope of country of which Dixon P. O. may be considered the center. The name is not yet extinct, for even at the present day Dixon is often called "Osapa Chitto," *Big Field,* by the modern Choctaws.

As stated, the Jasper county settlements, 48 to 57 inclusive, will be reserved for a future paper.

58. *Ewany.*—This name is spelled in various ways: "Haiowanni," "Yowanni," "Hewanny," "Youane," etc. The Yowanni town of Adair, "the palisaded fort," stood in Wayne county on the east side of Chickasahay river in section 16, township 10, range 7, west, St. Stephen's base line. The Ewany of Romans' map was on the west side of Chickasahay, in section 17, and was referred to by Adair as "the out-houses of Yowanni."

59. *Hyukkeni.*—This town, or settlement, can not be found on Romans' map. It may possibly be the settlement, not numbered, on the east side of Buckatunna, northeast of Ewany.

60. Romans has failed to mark down this town, which certainly must be the same as Skenappa village on Danville's map of 1732. Danville has this town on the east side of the head of a tributary of Sukenatcha. Danville's map, like Romans, is very imperfect and confused, so that it is impossible to decide whether the creek on which he has placed Skenappa is Straight creek or Running Tiger. But the best conjecture as to this matter is to be found in the following statement, contained in a letter received by the writer from Mr. A. C. Hammack, of Kemper county:

"From a close study of Danville's map, together with my knowledge of the local features of the country, I am of the opinion that Running Tiger is the tributary of Sukenatcha laid down on Danville's map, and not

Straight creek. On the head of Running Tiger and on its east side, there is a large spring which supplies water to run a mill a mile below. The lands immediately surrounding this spring are high and sandy and were once very productive; and in many places all around stone relics can be found, an evidence that human habitations once stood here. From a consideration of these circumstances, I think it very probable that here was the site of the ancient town of Skenappa."

An account will now be given of some of the water courses and localities recorded on Romans' map. The names, to a great extent, are given in alphabetical order. To prevent repetition of translation the writer desires to call attention to the fact that bogue, correctly spelled "bok," means creek.

Batcha Chukka.—Ridge houses, that is houses built on a ridge, a settlement on the Tombigbee, the present Tuscahoma. "Bachcha" is the correct spelling and signifies "ridge."

Bogue Aitha Soyca.—This name correctly spelled is "Bok iti Shukha," and means *Wooden hog creek.* Can this be Sukalena, a tributary of Oktibbeha creek in Lauderdale county?

Bogue Chitto.—This name means *Big creek* and is a name of frequent occurrence in Mississippi and Alabama. It is applied by Romans to the Chickasahay.

Bogue Chobota.—Romans sometimes uses ch for sh in writing Indian names. "Bok shubuta," or "shubota," *Shubuta creek,* is in Clarke county. "Shubota" signifies *smoky.* The statement in Prof. W. L. Weber's article in the *Publications of the Mississippi Historical Society,* Vol. I., p. 21, that "Shubuta" means *sour meal* is erroneous. He probably made this statement on the authority of others. The inventor of this erroneous etymology doubtless supposed that it was a compound, made by uniting "shua," *bad-smelling,* with "bota," *meal.* But the adjective in Choctaw *invariably* follows its noun, and never precedes it as in English. To speak of *bad-smelling meal,* a Choctaw would say "bota shua."

Bogue Hooma.—The correct form of this name is "Bok Homma," which means *Red creek.* There are several creeks of this name in Mississippi and Alabama. The one recorded on Romans' map, a tributary of Buckatunna on its east side, has an historical significance in being, prior to the treaty of Mount Dexter, a part of the line of demarcation between the Choctaw nation and the United States.

Bogue Loosa.—The correct form of this name is "Bok Lusa," *Black creek,* now known as Taylor's creek, a tributary of Sinty

Bogue, "Sinti Bok," *Snake creek,* in Washington county, Alabama.

East of Bogue Loosa is a hill or mound called by Romans Nanne Chufa, "Nanih Achafa," which means *Lone Hill.* Still farther east he has a region marked Tale okane, which is "Talla yakni," and means *Palmetto country.* As is evidenced by the name, it refers to the country on Toller Bogue, "Talla Bok," *Palmetto creek.*

Basheelawa.—The Choctaw expression, "Bassi laua" means *Sedgegrass plenty.* This creek emptied into the Tombigbee.

Bogue Oshan Lowey.—This name is the same as "Sonlahoue" on Danville's map of 1732, as "Hussan Lowah" on La Tourrette's map, of 1839, and as "Sooenlovie," the present American form. All the four forms are more or less corrupted from "Hassunlawi," which the best informed Choctaws say is itself a corruption of "Iasunlabi," which means *Leech-killer.*

Chiceanske.—It is evident from the location of this place on Romans' map, that it is a grievous clerical slip for the name of the place which in the text of Romans' book is called "Chickianooe." In Hamilton's *Colonial Mobile,* p. 220, this place is identified as Bluff Port. Mr. Hamilton quotes Romans:

> "At half an hour past eleven proceeded and in an hour and a quarter we passed by Chickianooe, a white bluff [Bluff Port] with a savannah on top on its west side. It is upwards of seventy feet high above the water's level."

Chickianooe.—The writer has a strong suspicion that there is a slight misprint in Romans' text, and that this word should read "Chickianoce." This would make the word "Skeki anusi" or "anosi," meaning *Buzzards there sleep,* that is, *Buzzard Roost* This same word, "Chickianoce," was the aboriginal name of Cahaba river. See Hamilton's *Colonial Mobile,* p. 185.

Bluff Port on LaTourrette's map of Mississippi is called Buzzard Roost Bluff, which can surely be nothing else than the translation of the Choctaw name of the locality. This makes our suspicion almost a certainty as to the misprint in Romans' text.

Great Beaver Dam.—This locality is interesting as it gives us the very highest limit of information up Noxubee river in Romans' day. There is a bayou which flows out of Noxubee river on its west side in section 32, township 17, range 14, east, in

Oktibbeha, and re-enters the same river in section 12, township 16, range 15, east, in Noxubee county, making an island about eight miles long and from one to two miles wide, part of which is in Oktibbeha and part in Noxubee county. This is the island marked "Great Beaver Dam" on Romans' map. The name of the bayou which forms this island is Oaktark, which is a corruption of the Choctaw "Hohtak," *a beaver pond.* There still exists a great beaver dam on this bayou, a few hundred yards below the Oktibbeha and Noxubee county line. This beaver dam must be the same as the one recorded on Romans' map, and must have been known far and wide among the Choctaws. It was surely on Indian information that Romans recorded it on his map; for it was many miles out of his line of travel.

Hatche oose.—"Hachcha osi," means *Little River,* and is applied by Romans to Noxubee river. "Osi" or "use" is a diminutive suffix. Archusa, the name of two streams in Mississippi, one in Smith and one in Clarke county, is a corruption of "Hachchusi," *Little River.*

Above Bogue Hooma, the old Choctaw boundary line, there are seven creeks flowing into the Buckatunna on its east side, of which only two have as yet been identified with modern-named creeks.

Going north, the first creek in Phokitaicha, which is a corruption of "Fakit asha," *Turkeys are there,* or *Turkey Place.* This is the modern Turkey creek in Wayne county.

The second creek is Sloopa Ullah, the Sloopa being a clerical slip for "Hoopa." This name in correct Choctaw is "Opa aiola," *Owl there hoots.*

The third creek is Talla Bogue, "Talla Bok," *Palmetto creek.*

The fourth creek is Opcale Bogue.—Nothing can be done with the word Opcale.

The fifth creek is Oka Teewawby, which is the modern Brown's creek.

The sixth creek is Oka Ullah, which is either "Oka ola," *Sounding water,* or "Oka hullo," *Beloved water.*

The seventh creek is Panchatiwa. Dr. Gatschet has placed an interrogation point after this name, indicating perhaps that it is not very legible on the original map. If so, can it be "Pancha lawa," *Water-flags plenty?*

Oka Noxubee.—In correct Choctaw this word is "Oka Nak-

shobi." Romans' translation of the name, *Strong smelling water,* is practically correct. There is no exact English equivalent for the Choctaw word, Nakshobi. It is applied to the strong offensive odor that arises from an overflowed river or creek in the summer time. Persons living near Noxubee are familiar with this odor during a summer freshet. The etymology given of Noxubee in Claiborne's *Mississippi as a Province, Territory and State,* p. 485, is altogether out of the question; and the so-called legend is a bit of "buncombe," for the throwing of the bodies of slain enemies into a river is something unheard of in Indian warfare.

"Oka Tapa."—This name signifies *Water cut off,* and is an eastern tributary of Oktibbeha in Lauderdale county, its modern name being Bales' creek.

Oka Teebehaw.—There two well known large streams of this name in Mississippi, properly written "Oktibbeha." To the northern stream, Romans has appended the erroneous translation *Noisy Water.* Another erroneous translation is *Fighting Water.* The correct translation of "Oktibbeha" is *Ice therein,* the name being compounded of "Okti," *ice,* and "abeha," *therein,* "Abeha" is plural, and as the English word "ice" has no plural, to make a plural expression, we may translate "Okti abeha," *Blocks of ice therein.*

Pasca oocooloo river.—This name, correctly written, is Paska okla river. At the present day it is written "Pascagoula," and the name is applied to the river below the confluence of the Chickasahay and Leaf rivers. "Paska Okla," "Paskokla," signifies *Bread People,* and was the name given by the Choctaws to the tribe that once lived on this stream and who, in 1764, emigrated to Louisiana. The legend of their extermination is a piece of fiction.

Pooscoo Paaha.—There is a creek in Choctaw county, Ala., called "Pusscuss creek," a tributary of Okatuppa. On the government records this creek is called "Pushcushpear." The writer feels sure that this is the same name as the "Pooscoo Paäha" on Romans' map, the "s" at the end of the first word being doubtless inadvertently omitted by the copyist. The name restored to its correct Choctaw orthography is "Puskus Paya," which means *Calling Child,* or *Child Calling out.* The last word, "paya," first a nasal, is to be seen in the name of Copiah county, which cor-

rectly written is "Koi Paya," *Calling Panther,* or *Crying Panther.* Doubtless in both cases, we should insert the locative prefix, "a," to paya, so often omitted in rapidity of speech. "Puskus apaya," *Child there calls,* "Koi apaya," *Panther there calls.*

As to the name on Romans' map, there is no doubt that it was the name applied to the creek referred to above, now abbreviated into Pusscuss, and to the Choctaw town Puskus Paya, which was situated near Pusscuss creek, in sections 7 and 18, township 10, range, 4, west, about three and a half miles a little south of due east of Emory. This is the only Choctaw town of which the writer has any knowledge that stood in what is now Choctaw county. The memory of this town still exists in Choctaw tradition..

Nanna Chacaw.—This name is doubtless derived from "Nanih chaha," *High Hill.*

Naniwaya Hatcha, "Nanih Waya Hachcha."—This is the name of the creek in Winston county on which is situated the noted Choctaw sacred mound. "Hachcha," means *River.*

Senti Ailee, "Sinti illi," *Dead Snake.*

Senter Bogue, "Sinti Bok," *Snake creek.*

Sucktafalaya, "Sakti falaya," *Long Bluff.*

Sackta Loosa, "Sakti lusa," Black Bluff.

Sookhanatcha, the best modern spelling of which is "Suckenatcha." "Shukha in Hachcha," translated literally means *Hog its river.*

Swamps of Beaver dam.—These are the swamps in the vicinity of the noted beaver pond, about which the Creeks and Choctaws had the great ball play and fight, of which a correct account is given in Claiborne's *Mississippi as a Province, Territory and State,* pp. 496-7, with the exception of the petticoat incident, which is a bit of interpolated fiction. There is another matter in the same connection. The statement that the Creeks claimed this pond by priority of discovery should be taken "with many grains of salt." The Choctaws, who were great hunters, must surely have been acquainted with the location of all the beaver ponds in their own country. It was customary for the Creeks and Choctaws, in their inter-tribal ball plays, to stake upon the issue of the game, certain small portions of their respective territories. According to an old tradition, the Creeks, once, in this manner, in a ball play with the Choctaws, won a strip of territory on the west side of the Tom-

bigbee, a portion, if not all of it lying in Sumter county, Alabama. In the case of the beaver pond affair, it may be considered a safe conclusion that the Choctaws had simply staked upon the issue of the ball play, a strip of territory embracing these swamps of Beaver dam against an equivalent tract of territory in the Creek country.

Yagna Hoolah.—This name is derived from "Yakni Hullo," and means *Beloved Country.*

Yagna Pilata.—"Yakni Pahlata" means *Cleft land,* or *Sunken land.* This is a tract of sunken land, several feet deep, nearly half a mile long and from one to two hundred yards wide, situated on the north side of James creek and west of Pusscuss creek, in the northwest quarter of section 5, township 10, range 4, west, Choctaw county, Alabama. It lies a few miles to the east of Romans' line of travel, and he, no doubt, received his information from the Indians, who must have considered it a noted place, and who evidently exaggerated its size in describing it to Romans.

In dismissing Bernard Romans' map, a few general statements may not be inappropriate. The list of Indian towns or settlements on this map is by no means a complete or perfect list. They are such towns and settlements as Romans traveled through, or about which he gained more or less information. Romans, however, passed through a great portion of the most populous parts of the Choctaw country. In the western parts of their country, the Choctaws lived generally in scattered settlements, thus forming a striking contrast with the people of the eastern parts, who, as has been seen, were massed in numerous towns, and some forts, the latter built as barriers against the ever aggressive and hostile movements of the Creeks.

The Choctaw towns and settlements were all connected by trails, which trails ran in as straight a course as the physical obstacles of the country would permit.

The Choctaws, as is well known, were divided into two clans or iksa. In this iksa division, made by Divine authority, children belonged to the iksa of their mother, and marriages were into the opposite iksa. Hence, every one, male or female, knew to which iksa he or she belonged. When a Choctaw or his family traveled to the most remote part of their country, where they were personally unknown, it was customary to ask to which iksa they be-

longed, and if they were of the same iksa as the inquirer, they were claimed by him as brothers and treated as such.

The Choctaws were not, by any means, such hunters or nomads, as has been supposed. They were, to a great extent, a sedentary people, having fixed homes, and living largely on the products of agriculture, or more properly speaking, horticulture. It is true their bill of fare was generally supplemented with animal flesh or wild food plants, yet their principal food supply came from their cultivated patches, in which they grew corn, peas, pumpkins, squashes, and sunflowers. In more recent times, the sunflower ceased to be cultivated. "Hashshi" is the native term for *sunflower,* a word worn down from "hashshiushi," which means *little sun.* This fact is given to call attention to the similar working of the mind of the white man and the Choctaw in giving a name to this flower from its supposed resemblance to the sun.

The seeds of the sunflower were used in making a kind of pudding. They were first hulled and then pounded in a mortar. Parched corn meal was then poured into the mortar, and after the seeds and meal by constant pounding were thoroughly mixed together, the mixture was ready for the cook to convert into pudding.

Plum and peach orchards were not uncommon among the Choctaws in Romans' day. He mentioning especially the plums and peaches he saw in Coosha town. The gradual introduction of domestic animals about the close of the American Revolution, incident in a great measure to the influx of Tory refugees, had a tendency to make the Choctaws more rural in their habits, and thus, in a great measure, caused them to abandon their towns.

These disjointed statements are given merely as a few hints relative to the social condition in 1772 of the aboriginal people of Mississippi, who dwelt in the towns and settlements recorded on Bernard Romans' map.



ANTIQUITIES OF NEWTON COUNTY, MISSISSIPPI.[1]

By A. J. Brown.[2]

The writer in undertaking to prepare a paper on the subject assigned to him at the Archaeological Conference held at Meridian in April, 1901, is aware that the points or objects of antiquarian interest in Newton county are not so varied or numerous as are those of many other counties in the State. But cherishing a warm attachment to this county, he will give such facts concerning its antiquities as may be considered worthy of preservation.

The first historic glimpse we have of Newton county is in the latter half of the eighteenth century. As Adair, Romans and other travellers and writers of that era confined their travels more to the regions immediately bordering on the Tombigbee, we have, in consequence, but slight records pertaining to the region now embraced in the modern county of Newton. These writers have left us more or less minute descriptions of the settlements, manners, and customs of the natives of the eastern part of Mississippi. As similar conditions prevailed among the natives immediately to the west, it would not be difficult to reconstruct aboriginal life as it existed in Newton county in the eighteenth century. The aborigines of Newton county lived in rude cabins, which stood in what may be termed straggling towns, with fields of Indian corn and patches of vegetables intervening. These so-called towns were connected by trails, which ran in as straight lines as the nature of the country would permit. These aborigines were not altogether a hunting people. They lived in fixed abodes and

[1] The writer is greatly indebted to Mr. H. S. Halbert for many valuable facts contained in this paper.

[2] Capt. A. J. Brown was born in Jasper county, Miss., in the year 1834. At the time of his birth his parents were living in what was then a frontier country in the midst of the Choctaw Indians. From childhood he has been interested in the natives among whom he was born and reared. He speaks their language to some extent. A large portion of his life has been devoted to mercantile pursuits, though he has found some time to engage in literary work. His interesting *History of Newton County*, containing 472 pages, was published in 1894. He also has a manuscript history of his family, which he has written for the use of his children.—Editor.

acquired much of their food by the cultivation of the soil. A people who subsisted entirely upon hunting could not have built the earthworks which are so numerous in the different parts of Mississippi, and of which not a few are to be found in Newton county.

The most ancient extant record of Newton county is Bernard Romans' map of 1772. The writer will use in this connection the spelling of the manuscript list of Choctaw towns in the possession of Mr. H. S. Halbert, sent to him by Dr. A. S. Gatschet. The list on the reduced copy of Romans' map in Dr. Riley's *School History of Mississippi*, page 16, contains some typographical slips.[1]

Romans has misplaced the Choctaw towns in what is now the southern part of Neshoba, Newton and Jasper counties. Towns that are really in Newton county, by the county lines drawn by Dr. Gatschet in the copy of Romans' map lying before the writer, are placed in Neshoba county. A similar statement can be made relative to some of the Jasper county towns, which, by Dr. Gatschet's lines, are placed in Newton county. In truth, Romans has the portions of country now embraced in the southern part of Neshoba and all of Newton and Jasper counties so badly confused that the student must reconstruct the chorography of this part of his map.

Immediately after the name of the first Choctaw town, "Bishapa" (number 41), which Romans gives in what is now Newton county, Dr. Gatschet has written the words "illegible almost." This leaves the form of the name in some doubt. As that town is placed to the south of West Mokalusa Town in Neshoba county and to the east of Chunky creek, it is almost certain that this town, the name of which is *illegible almost,* is the Choctaw town of Bissasha. Is it not reasonable to suppose that Dr. Gatschet in copying the manuscript, mistook the old fashioned long "s" followed by the short "s" for the letter "p"? If such is the case, we should have "Bishassa" instead of "Bishapa." This word so closely resembles the word "Bissasha" that there is little doubt that this was the Choctaw town of that name which stood on the west side of Little Rock creek in Newton county, in section 23,

[1] A copy of this map will be found in another part of this volume.—EDITOR.

township 8, range 12, east. This creek is not laid down on Romans' map. Bissasha Town is now embraced in the plantation of Mr. Jones Taylor. Judging from the stone implements and other debris lying scattered over its site, the town covered an area of about ten acres, making it a rather small town, as Choctaw towns were generally built. This harmonizes with Romans' map, which represents "number 41" as a small place. The memory of Bissasha Town is still preserved in Choctaw tradition. "Bissasha," worn down from "Bissa asha," signifies *Blackberries are there,* or *Blackberry Place.* Within the memory of living men there was a wellworn trail that ran from Bissasha to a large artificial mound, situated about two miles distant on the east bank of Chunky creek. Investigation may possibly show that this was a burial mound and was made by the Bissasha people.

Another town (number 42), represented on Romans' map as being in what is now Neshoba county, is spelled "Chanki." It was situated on the headwaters of Chunky creek, or "Chunka Bogue," as written on the map. "Chanki" and "Chunka" are the same name and survive in the modern "Chunky." This town, as in the case of Bissasha, must be assigned to its true location, not in Neshoba, but in Newton county. The modern village of Union occupies much of the ground embraced in this ancient Choctaw town. At the present day many of the old Choctaws, in speaking of Union, invariably call it "Chunky," "Chanki," according to Choctaw spelling and pronunciation.

Another town which is misplaced on Romans' map, "Oka Kapassa," must likewise be assigned to Newton county. It was the name of the town environing the present Pinkney Mill. It was called "Oka Kapassa," meaning *Cold water,* from a fine spring, which made the place a famous resort of the Indians. Pinkney Mill is located in section 23, township 8, range 11, east.

A fourth town on Romans' map, "Oony" (number 44), was a village settlement south of Pinkney Mill. The writer can give no farther information about it.

A fifth Indian town (number 45) given by the same authority is unnamed on his map. But its situation clearly shows that it was the well known Choctaw town, called "Chunky," which stood on the west bank of Chunky creek, about half a mile below the confluence of that creek with Talasha creek. It seems to

have borne the name of "Chanki Chitto," *Big Chunky*, to distinguish it from the other town of the same name at Union. Pierre Juzan, a noted French Indian countryman, lived in Chunky Town. It was the most southern Choctaw town that Tecumseh visited in the fall of 1811.

A sixth place (number 46) given by Romans was "Coatraw." The name of this town is evidently very much mutilated or corrupted, as there is no "r" in the Choctaw language. The writer can suggest no amendment or interpretation, but from its situation on the map he is almost sure that Mount Moriah Presbyterian church, situated four miles southwest of the town of Newton, in section 17, township 5, range 11, east, occupies the site of this ancient Indian town. A personal visit to this place, in company with Mr. H. S. Halbert, revealed some prehistoric earthworks, showing that it was the site of an ancient village. This was undoubtedly, therefore, the site of the ancient town of "Coatraw" as given on Romans' map. Upon the plateau on which Mount Moriah church stands, two mounds were found, about one hundred yards apart. The mound nearest to the church, now much abraded in consequence of a road which passes over its western base, is about eighty feet in diameter, and was probably about five feet high originally. The other mound, situated about seventy-five yards southeast of the church, is in a much better state of preservation. It is about eight feet in height, circular in form, has a flat summit, and is over a hundred feet in diameter. Near it can be seen a deep excavation, which was no doubt made by the builders in getting earth for its construction. As the land around these mounds is very fertile, it was no doubt used by the villagers for the purpose of farming or gardening. The area of land forming this plateau lies between two small creeks, which in early days were well stocked with fish, furnishing an abundant supplement to the corn, peas, and other vegetables of the ancient villagers. In selecting this place for a village site the aborigines had an eye not only for the picturesque, but for the practical, as is shown by the fact that it was well watered and was a good hunting and fishing place, as well as a very fertile body of land for cultivation. Judging by the breadth and flatness of their summits, these mounds were intended either for burial purposes or for sites of the elevated houses of the chiefs, or, possibly

one at least, for the council house of the village. This inference is drawn from the writings of the early explorers, who have described the habits, customs, and buildings of the early Indians.

A seventh place (number 4) given by Romans was "Tallaw." This is "Tala Town," one of the sub-divisions of the Six Towns Choctaws. "Tala" signifies *Palmetto.* The name still exists in "Tarlow creek." Tala Town embraced all the territory lying between Tarlow creek and Bogue Felammie, both creeks are tributaries of Pottoc Chitto. Tala Town was a thickly settled community and nearly all its people emigrated in the second and third emigrations in 1832 and 1833.

This closes Romans' list of Choctaw towns in Newton county. There were unquestionably many other towns in the county, but those given above seem to have been the only ones given to Romans by his Indian informants. According to the view of the writer, Romans' line of travel led through no part of Newton county.

As a supplement to Romans' list of places, two other Choctaw towns that once existed in Newton county will now be given. The first is "Oka Hullo," *Beloved water,* which was a large scattering town, standing partly in Newton and partly in Neshoba county. The part in Neshoba was in section 33, township 9, range 12, east. The part in Newton was in section 3, township 8, range 12, east. There was a trail that led from this town easterly to Mokalusha Town in Neshoba county, and westerly to a town in Newton county called "Okhata Talaia," *Spreading pond,* which was situated in the southwest quarter of section 11, township 7, range 10, east. This town is now embraced in Mr. J. A. Thomas' farm. In the center of this town, which stood for the most part upon a high table land, was a pond of water, several acres in area, which was a great resort for wild water fowl. From this pond the town received its name. The pond was drained in the early '40's. The last chief of Okhata Talaia, before it passed out of Choctaw possession, was named "Hankha," which means *Wild goose.* Some of his descendants still live in the vicinity.

The trail that led from Okha Hullo to Okhata Talaia continued its course somewhat southwesterly, running through some Indian settlements in Scott county and thence to the Choctaw town of "Chisha foka," *among the post oaks,* which stood upon the site

of the present city of Jackson. From Jackson, tradition says, the trail ran to the present site of Vicksburg on the Mississippi river. The Jackson road from DeKalb to Jackson was based upon this old Indian trail.

The Choctaws of Oka Hullo were very much averse to emigrating west and wished to avail themselves of the privileges of the fourteenth article of the treaty of Dancing Rabbit, but failed to secure these privileges in consequence of the fraudulent actions of Col. Ward, the Choctaw agent. There was so much dissatisfaction among them at one time during Governor Runnel's administration, that the white settlers in the vicinity became quite uneasy —their uneasiness, no doubt, being utterly groundless. To allay their apprehensions, the settlers sent a messenger to Governor Runnels at Jackson, informing him of the situation. The Governor came to the place, and on his arrival a council was held in the town. The Governor made a very conciliatory talk to the Indians, the noted Little Leader, it is said, acting as his interpreter. In consequence of the Governor's talk, a better feeling began at once to prevail among the Indians, and there was no further complaint on the part of the whites.

Having given all the information at present available in regard to the Choctaw towns of Newton county, the writer will attempt to give an account of the water courses on Romans' map in so far as they relate to the same section of the county.

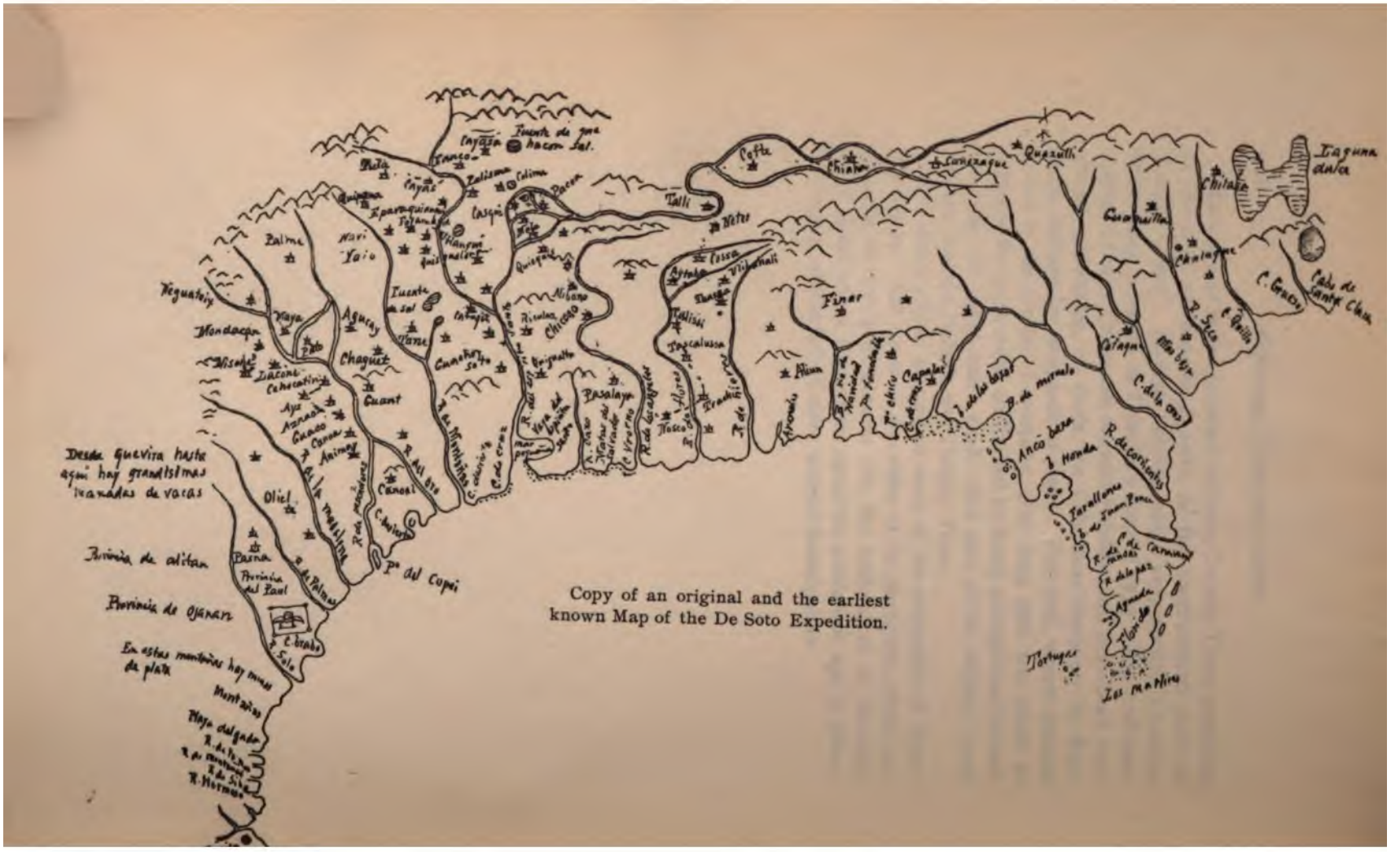
It may be stated that Romans' name for the entire course of the Chickasahay does not correspond with the modern designation. As understood at present, Talasha and Chunky creeks unite to form Chunky river; Chunky river and Oktibbeha unite near Enterprise in Clarke county to form Chickasahay; and this stream in turn unites with Leaf river to form the Pascagoula. Captain Romans gives the name "Chickasahay" to Talasha creek. After the confluence of Chunky creek with Talasha the name Chickasahay still adheres to the united waters until they come to the influx of "Oon Bogue," which creek is certainly Okahatta creek of Newton county. Below the mouth of Okahatta he calls Chunky river "Taka Ocooloo river," which name is a philological puzzle. "Ocooloo" may however be "Okla," *People.* How far down this name extends is not known. But below the Haiowanni towns in Wayne county, Captain Romans calls Chickasahay river "Pascagoula river." (The modern spelling is here used.)

The creek given on Romans' map as "Chunka bogue" is Chunky creek. It is incorrectly placed too far north, and according to Dr. Gatschet's lines is in Neshoba county, but nearly all the creek is really in Newton county. "Oon Bogue," as has been already stated, is "Okahatta creek." "Oka hata" means *White water.* "Phiket Lapali," in correct Choctaw spelling, "Fakit Lapali," *Turkeys stick there,* is the modern Turkey creek. On Romans' map this creek is laid down as emptying into Chunky river. It empties into Pottoc Chitto, and is still known by its Indian name, "Fakit Lapali," among Choctaws of Newton county. Romans' map is very confusing in its information with reference to Patac Chitto creek. It gives two creeks of this name, whereas there is only one. He has both the northern "Patoc Chito" and the Phiket Lapali emptying into Chunky river. The southern Patac chito, which is the true and only Patac chito, he has correctly represented. The best informed Choctaws state that "Pottok Chitto" (the usual modern spelling), is worn down from "Patafa Chitto," which means *Big cleft,* evidently referring to some deep valley-like gorge through which the creek flows.

Having finished that part of Bernard Romans' map of 1772 which relates to Newton county, the writer will give some account of the first American impress upon this county by a notice of the military road of 1816. This road from Garlandville in Jasper county struck Newton county about the center of the southern line of section 32, township 5, range 12, east. From this point it continued its northeast course and in section 1 of the same township and range it crossed Pottok Chitto creek, ran thence to the site of the present town of Hickory, and thence to the Choctaw town of Chunky, crossing Chunky river in the northwest corner of section 8, township 6, range 12, east. From this point it still continued its northeast course until it struck the southwest corner of section 1, township 7, range 13, east. From this point it ran due north a little over three miles, parallel with Talahatta creek. These three miles still exist as a part of the Chunkyville road. The military road crossed Talahatta creek in about the center of section 24, township 8, range 13, east, and extended thence still northeasterly until it passed out of Newton county.

There was an Indian trail that led from Chunky Town northeast to the town of Kunsha Bolutka in the southwestern part of Kemper county. Kunsha Bolukta was a very ancient Choctaw town, being recorded on Danville's map of 1732. The trail connecting Chunky Town and Kunsha Bolukta must have been very ancient, antedating, no doubt, the Columbian discovery by hundreds, perhaps by thousands of years. This trail, whose genesis is lost in the depths of antiquity, after long ages was made to subserve the purposes of civilization by being enlarged and broadened into the white man's road,—that part of the military road between Kunsha Bolukta and Chunky Town.

This closes a brief account of some of the antiquities of Newton county. The study of the relics of its aborigines, their implements of war and domestic life, the exploration of mounds, all of which would throw light upon the prehistoric age in Newton county, will be left to more learned investigators.



Copy of an original and the earliest known Map of the De Soto Expedition.

ROUTE OF DESOTO'S EXPEDITION FROM TALIEPACANA TO HUHASENE.[1]

By T. H. Lewis.[2]

Prefatory Notes.—While there have been many laudable attempts to follow the wandering route of DeSoto's army, little has been accomplished by reason of the general tendency to adhere to the account written by Garcilaso de la Vega, "the Inca," who compiled from information given by three separate members of the army. In order to ascertain the facts in his works, all the overdrawn, flowery and fanciful portions must be entirely eliminated, after which, by comparing with the three narratives, there will be found a residue consisting, in part, of misplaced towns, provinces and events, together with occasional duplications of

[1] The writer wishes here to acknowledge his indebtedness to Mr. H. S. Halbert for his valuable contributions to this paper. He has spent many years among the Choctaws still residing in Mississippi, during which time he has made a special study of the Choctaw-Chickasaw languages, which differ only in a few words. No higher or more competent authority is attainable.

[2] Theodore Hayes Lewis was born at Richmond, Va., December 15, 1856. After a residence of one year (1865) in Columbus, Ohio, his parents removed to Little Rock, Ark. Upon the completion of his common school education at this place, he took a commercial course at the Miami Commerical College, Dayton, O. (1874). From 1876-8 he made archaeological excavations for Prof. William A. Muller, of Dresden, Germany, in Arkansas, Mississippi, and Tennessee. During the winters of 1878-95 he continued his archaeological work, surveying over 10,000 mounds. This was a private enterprise, the results of which are still unpublished. In the meantime (1880-95) he conducted the "Northwestern Archaeological Survey" under the auspices of the late Alfred J. Hill. The results of these explorations embracing over 12,000 mounds are also unpublished. Prof. Lewis has made special study of the Spanish and French explorations and settlements in the Mississippi valley and the Gulf States during the past twenty-five years. His writings are mostly archaeological, and are published in the *American Antiquarian; American Archaeologist; American Naturalist; American Journal of Archaeology; Magazine of American History; The Archaeologist; Science; National Magazine; Macalester Monthly; Macalester Contributions; The Anthropologist;* De Lestry's *Western Magazine; Speaking Leaf* (Order of Red Men); and Appleton's *Annual Cyclopedia* (1889). He published the first English translation (abbreviated) of the Rangel Narrative. Prof. Lewis is a life member of the Minnesota Historical Society and an hororary member of the Mississippi Historical Society. A sketch of his life will be found in *Who's Who in America* (1901-1902).—Editor.

descriptions. Therefore only such portions as conform to, or do not conflict with, the narratives should be taken into consideration. The abridged journal of Ranjel, DeSoto's private secretary, should be accepted as the standard, especially as to dates and the order in which the towns and provinces are named. In connection therewith, the narrative of the "Gentleman of Elvas" should receive full consideration, though it evidently is not based upon a diary or even field-notes. It contains some palpable errors, and the long-winded addresses are open to the grave suspicion that they were manufactured for the occasion. But, taken as a whole, it is decidedly the best full account we have. The narrative of Biedma, although written after his return to Mexico, supplies some additional information, and is therefore valuable auxiliary evidence. The account published in Herrera's History is only that of the Inca reclothed, and the differences between them, caused by the additions and apparent blunders, are but misleading and therefore not worth considering.

In relation to the real value of the Soto narratives, the late John G. Shea, in a letter dated May 18th, 1891, says:

"I really do not think Herrera essential. The real ocular witnesses are the Fidalgo of Elvas and Biedma. Next comes Garcilaso de la Vega's unknown authority as dressed up by himself, and therefore less authentic. Documents bearing on the expedition come in to help.....Buckingham Smith translated the narrative of the Gentleman of Elvas and Biedma and published his version with some documents in a volume of the Bradford Club, N. Y. Here, in my judgment, you have all that is evidence of the first class.....Soto had priests and friars with him, but in all the books relating to religious orders in America (and I have handled a host) I have never found any information regarding any Franciscan, Dominican or other who was with Soto. I have looked diligently and found some things in unexpected places.....But of any friar of any order who suffered and died on Soto's crazy march, I have never found a trace."

The Spanish map, a copy of which accompanies this paper, is taken from "The Discovery of North America," by Henry Harrisee. It belongs to the Archives of the Indies and is doubtlessly an original map of the route followed by DeSoto and his men. It was compiled after the arrival of the survivors in Mexico in 1543, and previous to the expedition of Tristan de Luna in 1559. A comparison of the map names shows that some of them are common to all the narratives; fourteen do not appear in any of them, four are mentioned only by Elvas, two by Ranjel, two by the Inca, and several others may be identified as representing certain other names.

The Spaniards saw only three points on the coast that connected it with the interior, viz., the landing place at Charlotte Harbor, Bay Ocklockonee, which they visited from Apalache, and the mouth of the Mississippi. It is therefore plainly evident that the interior rivers along which they traveled, or which their line of march intersected, were merely "hitched on" to the then partially known gulf coast. It will be noted that Capalac is the only name found along the route between Bahia Honda and Cofaque. This name is intended for that of the cacique Capafy, of the province of Apalache, whose capture and miraculous escape are so graphically described by the Inca.

After the battle of Mauilla, the army rested there until Sunday, November 14th, when they again took up their march in a northerly (?) direction, and some time during the following Wednesday arrived at a very good river, presumably some small stream flowing to the westward. On Thursday, the 18th, after having passed over many bad roads and swamps, they came to Taliepacana,[3] which, according to Elva, was in the province of Pafallaya.[4] The following Sunday, Vasco Gonzalas discovered another town, called Moçulixa,[5] located half a league distant on a large river. They now made a pirogue, and on the 29th crossed the river at that place, and, after a short fight, forced the Indians to

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[2] The name, Moçulixa, if the x is to be pronounced as k, then we have a very common personal name among the Choctaws. "Moshulika" or "Mosholika," or "Musholika," o and u being interchangeable. The word means, *the one who is resolute, who is determined.* It has lost its initial syllable in rapidity of speech, Amoshuli, *resolute, determined,* and the definite particle "ka," suffixed, which adds a kind of personality to the term. This word, amoshuli, occurs as part of the compound in the name of the noted Choctaw chief Moshulitubbee (Amoshulitvbi).—Mr. H. S. Halbert.

[3] In Ranjel's narrative the name of this place is written: "Taliepacana," which is evidently "Tvli apakna," literally translated, *Rocks plenty: Tvli, rock, stone;* apakna, *plenty, numerous.* Taliepataua in Choctaw "Tvli-ipatafa," literally translated, *Rock its cleft,* or *Rock its opening,* can be applied to any deep, rocky gorge or branch the sides and bottom of which are composed of rock or stone. If we may assume that in the Elvas narrative the u in "Taliepatua" is a misprint originally for n, making the word "Taliepatana," then practically we can harmonize the name as written by the two writers; for there is a tendency in some Indian languages, in some cases, to use k and t interchangeably. For example, a Choctaw, in making use of the word signifying "to know," can say either "ithana" or "ikhana."—Mr. H. S. Halbert.

[4] Adair, in his history of the American Indians, says that the Choctaws were sometimes called "Pasfallaya," *long hair.* This statement of Adair leads to the belief that "Pafalaya" may be worn down from "Pashi falaia." —Mr. H. S. Halbert, in *Transactions of the Alabama Historical Society.*

retire. During the rest of that and the following day, they marched up along the river, taking the pirogue with them, and arrived at a town called Cabusto.[6] Here they recrossed to the east bank, using the pirogue and some canoes which they found there, and lodged in another town further up the river, whose lord was called Apafalaya. This place, Moçulixa, and Taliepacana, were on the east side of the river, and, as "this bank of the river was called Apafalaya," they were in the province of Pafallaya. The town of Cabusto, located on the west side of the river, was apparently in some other province. The large river was the Tombigbee, and evidently the pirogue was taken up the river for the express purpose of making the second crossing, the two crossings having been made in order to avoid either the Black Warrior or Sipsey river,—possibly the latter.

On December 9th, they left this river and settlement, and on the 14th arrived at the river Chicaça, having traveled six days over many bad roads, swamps and rivers. This location was on the east side of the Tombigbee, and probably in the northern part of Monroe county. A pirogue was made, and Gallegos, with 30 cavalry, was sent up the river to look for a crossing. They crossed the river on Thursday, the 16th, and DeSoto, with some cavalry, went ahead, arriving at the town of Chicaça[7] late in the night. The army did not arrive at the town until the evening of the second day, and Gallegos, with his 30 horsemen, did not reach there until Sunday, the 21st. Chicaça was a town of 200 fires and was situated on a hill extending north and south, which was watered by many little brooks. It was located about one mile northwest of Redland, on the S. ½ of the S. W. ¼ of section 21, and the N. ½ of the N. W. ¼ of section 28, town 11, range 3, E., in Pontotoc county.[8]

On Monday, January 3rd, 1541, the civil-chief of Chicaça having given them guides and interpreters, an expedition was sent to

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[6] The writer is strongly of the opinion that this was a Chickasaw town. In the Chickasaw dialect "ishto," *great*, corresponds to the Choctaw, "chito." "Oka ishto," *great water*, in imperfect Spanish articulation could be "Okabushto," or "Kabushto," b having the force of v or w.—Mr. H. S. Halbert, in *Transactions of the Alabama Historical Society.*

[7] In a petition to the King, dated June 12th, 1560, Alonzo Vazquez, one of Soto's captains, spells this name, Chicazulea.

[8] For a full description of the Chickasaw camps, see the *National Magazine*, November, 1891.

Caluça,[9] a much renounced province in this region. It was fertile and had more than 90 towns, not subject to any one, and the people were ferocious and very warlike. This province was probably located in the northeastern part of Mississippi, in the region extending from the vicinity of Baldwyn, Prentiss county, to the Tennessee river, in Tishomingo county, and thence along the river. It must have been at this point on the Tennessee where they learned of its connection with the Mississippi.

Later on, DeSoto, with some cavalry and infantry, went to make war on the province of Sacchuma,[10] which was located on the lower Tallahatchie river, and the town that was burned by the Indians was probably in Tallahatchie county. On his return, Miculasa,[11] the cacique of that province, sued for peace. At the same time another ambassador, Alamamu, a chief of Talapatica,[12] visited Soto. It having been decided to continue their explorations, the cacique was asked to let them have bearers and guides by March 4th, but, instead of so doing, the Indians fiercely attacked them at four o'clock on that morning and burned the town. At the burning of Mauilla, the Spaniards lost all of their baggage, and here they lost everything not previously destroyed. Regarding this fire Elvas says: "If, by good luck, any one had been able to save a garment until then, it was there destroyed." They now moved to Chicacilla, located on a savanna, one league to the northward, set up forges in great haste, and manufactured lances, saddles and targets. On Tuesday, the 15th, the Indians again attack-

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[9] Biedma and Elvas apply this name to a province near Pacaha. Mr. Halbert says: Calusa is "Oka lusa," which means *Black water;* Oka, *water*, lusa, *black*.

[10] Chocchuma, spelled in various ways. This tribal name signifies *Red Crawfish;* in correct Choctaw orthography, "Shackchi homma," Shakchi, *crawfish*, homma, *red*.—Mr. H. S. Halbert.

[11] Elvas gives this name as Niculasa, and on the map it is Riculaz.

"The Spanish interpreters were Indians selected from other tribes to the eastward and accordingly the orthography of this name may be looked for in that direction. Chief is miko in Muskogee and mingo in Chickasaw and Choctaw. In the latter languages o and u are interchangeable; therefore we have 'Mikolasa,' 'Mingo lasa,' or 'Mingo lusa,' *Black chief.*"—Mr. H. S Halbert.

[12] If c in Talapatica is equivalent to k, then the name may be worn down from "Tvli hopatka," *wide rocks*, or *broad rocks*. "Hopatka," *wide*, is plural, making tvli plural. "Tvli Hopatki," in rapidity of speech, "Tvlapatka," which is very near the Spanish Talapatica.—Mr. H. S. Halbert.

ed them, but were easily routed. Chicacilla was probably located on the southeast quarter of section 5, town 11, range 3, east,—about three and one-half miles north of Chicaça.

On Tuesday, April 26th, they left Chicacilla and slept at Alabamo.[13] On Thursday they came to another savanna, where the Indians had constructed a very strong fort of palisades, which was located on the bank of a small river, near a ford. The Spaniards stormed it and drove the Indians out and across the river. This fort and ford were on the Tallahatchie river, and probably at or near New Albany, in Union county. Rocky Ford, located on section 17, town 7, range 1, east, some 15 miles below New Albany, is the last point down the river at which a crossing can be made by fording, but the topography makes it an improbable point. On Saturday, April 30th, the army left this inclosed place, turning to the westward. According to Elvas, the country they were now passing through was a wilderness of thick forests, having many marshy places that were fordable, and some basins and lakes (sluggish streams) that were not. In another place he says: "The land is low, abounding in lakes." Ranjel[14] says they passed over bad roads leading through woods and swamps. This part of the route lay wholly within the State of Mississippi, for, had it been towards Memphis, they would have passed through a hilly region instead of one of swamps. While the route by way of Sacchuma would have been practically of the same general character, they were prevented from taking it by reason of the hostility of the Indians, for then they would have had both tribes to contend with.

At noon on Sunday, May 8th, they arrived at the first town in

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[13] This was the name of a chief and a town (known otherwise as Taliepatica) located one day's journey to the northward of Chicacilla, and had no connection with the tribe by that name, then located upon the upper Alabama river.

"According to the views of the writer, the name is Choctaw, composed of two words, 'alba,' *vegetation*, and amo, *to gather;* united together, make the compound word, 'Alba amo,' 'Albamo,' which means *the ones who gather vegetation*, or *vegetation gatherers, i. e.*, clearers of soil for agricultural purposes. Alabama is the archaic and no doubt correct form."—Mr. H. S. Halbert, in *Transactions of the Alabama Historical Society.*

[14] For an abridged translation, giving the ethnology, topography and itinerary of his narrative, see the *American Antiquarian*, Vols. XXII and XXIII.

Quizquiz,[15] and carried it by sudden assault. A league distant was the second town, and at the end of another league they came to the third town, "where they saw the great river." On Saturday, May 21st, they moved to a meadow lying between the river and a little town,—the fourth one. Elvas says there was a river a crossbow—shot from the first town, and that they moved to another one (Ranjel's third town), a half league from the river, and from there to a plain near the river. The crossing was made either at Council Bend or Walnut Bend, in Tunica county, in a straight line some 25 to 38 miles below Memphis. DeL'Isle (1718) seems to have been the first geographer to attempt to map the route, and he places the crossing at "Pointe d'Oziers" (Willow point); but the place cannot be identified. D'Anville (1755) shows "Pointe d'Oziers," plainly enough, as being about halfway between the mouths of the St. Francis and White rivers; but this is too far down. The Chiaves map of 1598 (Ortelius' edition) and the Sanson map of 1656, the information on both of which is taken from the Elvas narrative, the Leide map (1700) having the names from Elvas and the Inca intermixed, and other maps of a similar character, are not taken into consideration.

The Memphis theory of the location of Quisquis and the crossing, which is based upon the Inca's account, is untenable, and a fair analysis or review of his statements will show that neither the town nor the crossing was located at that point. He says: "They arrived in sight of a town called Chisca,[16] which stood near a great river," which he calls the Chucagua; that "many Indians gathered here [on the mound] and others in a very fine wood which lay between the town and the great river;" and that "because of the many streams around there they could not use their horses." It will readily be seen that this description does not

[15] Quizquiz may be somewhat corrupted from "Koi ishkish," which in ordinary conversation would be worn down into "Koishkish." Koi, oi not a diphthong, means *panther*, and frequently occurs in the Choctaw names of towns and rivers. It is not a very romantic or dignified name for a town, for it means *Panther's rump*.

Adair, in his history of the American Indians, states that the Chickasaws called a German "Kish Kish Tarakshe." As the latter part of the name is not correct, it may be assumed that the first part is also incorrect The nick name was probably "Koishkish talakchi, *Tied panther's rump.*"—Mr. H. S. Halbert.

[16] Chitasa on the map. Chisca was the name of a province, the first town of which was located in the mountains, three days' journey to the northward of Coste on the Tennessee river.

apply to the Fort Pickering mound. Ranjel gives the distance between the first and the third towns as being two leagues (over five miles); Elvas says that they moved to another (the third) town, gives the distance between it and the river as being a half league, and the Inca fills in this space with "a very fine wood." Biedma says the town was near the banks of the Espiritu Santo, which statement refers to the third town. If commentators are right, and the town was located at the Fort Pickering mound, they should follow their authority (the Inca) for "four little days' journey of three leagues each, up the river," which would make the crossing about 31 miles above the mound. The reason given by the Inca for this journey of 12 leagues was the dense woods, together with the high, steep banks of the ravines leading to the river (and evidently the river banks also), "so that one could neither go up nor down them." It is a well known fact that, wherever the channel of the lower Mississippi river strikes the edge of the flood plain, it is continually cutting away the bank, so that it is perpendicular or nearly so. Therefore this part of his description is applicable to all such places. It should be borne in mind, however, that none of the narratives mention this journey.

On Saturday, June 18th, the army crossed the river in four large pirogues, and after marching a league and a half up the river came to the first town (Mala) in the province of Aquixo, and on the following day arrived at the town of Aquixo. On Tuesday they resumed their march, and on Wednesday they passed over the worst road of swamps and water that they had seen in all Florida. At the beginning of the swamps they crossed a small river, which was fifteen mile Bayou, and the crossing place was probably near the southeast corner of St. Francis county, Ark. In drawing conclusions regarding the route immediately to the west of the Mississippi, it should be remembered that the topography of this section was changed to a greater or less degree by the New Madrid earthquakes of 1811-12. Early writers state that hills disappeared and lakes took their places and that lakes and streams became dry land, while new ones were formed. Apparently the whole region from above New Madrid, Mo., to the south line of Arkansas, was lowered several feet.

Having crossed the swamps, the next day they entered the land of Quarqui, passed many towns, and on Friday arrived at the

town of the lord of Casqui,[17] which was probably located near the mouth of Tyronza river, and here they placed a cross on a large mound. Sunday, June 26th, they left Casqui, and the next day crossed a swamp, which, according to Elvas, had a current. This was the Tyronza river. On Wednesday, the 29th, they arrived at Pacaha,[18] which was near a pond (great lake of Elvas) that was connected with the Mississippi by a canal. This place was probably located in the vicinity of Osceola, in Mississippi county, but not further northward. The canal was one of the nearly straight and narrow bayous of this region, and the banks being higher than the land further back (like roadways), caused by the overflowing waters, gave it the appearance of being artificial.

On Friday, July 29th, the army left Pacaha, slept at Casqui Saturday night, and on Monday, August 1st, arrived at a town which stood near the river Casqui (St. Francis), a branch which flowed into the river Pacaha (Mississippi), which, according to Ranjel, was as great as the Guadalquiver river. Having crossed, they marched down along the river, and on Friday arrived at Quiguate, which was near the river Casqui, a crossbow-shot distant, according to Elvas. This was the largest town they had seen in Florida, and they afterwards learned from the Indians that there was a thick population further down along the river. This place was on the west side of the St. Francis river, in the northern part of Lee county or the southern part of St. Francis county. The largest ancient town site in this region is located about four or five miles to the eastward of Forest City, in the latter county, but this is apparently too far north. According to Elvas, they had trouble with the Indians, and, crossing the river from the town, pursued them to a lake which the horses could not cross. This lake was east of the St. Francis, and may have been Lake Michigami of the French maps, which ceased to exist after the New Madrid earthquakes.

On Friday, August 26th, they left Quiguate, taking a northwest course, according to Elvas, and crossed four swamps, which were the L'Angule river, Big creek, Bayou de Vue and Cache river. On the following Tuesday they came to the river Coligua,

[17] In 1673, Father Dablon visited a Michigamea village located in this region, and, as they were of the Kaskaskia family, this name may be Kaskia.

[18] Pacoa on the map, and now known as Quawpaw.

which was White river, and the location was at a point a few miles below the mouth of Little Red river, in Woodruff county. The next day they passed two bends of Little Red river, in White county, though it is possible that one of these crossings may have been on White river, for, not having been to the junction, they may have supposed the two rivers to be the same. On September 1st they arrived at Coligua,[19] which was located among some ridges, in the valley of the Little Red river. They left there on Tuesday, the 6th, crossing the river again. The next day they crossed some ridges and arrived at Calpista, where they found a flowing salt fountain. On the west bank of the Little Red river, in town 10, north, range 11, west, in Cleburne county, there is a flowing salt spring, the only one on a river bank in this part of the State. Leaving this place, they passed through Palisma, Quixila and Tutilcoya, and on September 14th arrived at a town near a great river. This was the upper White river, but only Ranjel and Biedma mention it. Regarding their arrival at Tutilcoya, the latter says: "Here we found a copius river, which we afterwards discovered empties into the Rio Grande." This discovery was made during the expedition from Minoya to Taguanate. There is but one day's difference between the two narratives.

The next day, Thursday, they slept at a swamp. The governor, with some cavalry, went ahead, and the next day arrived at the province of Cayas,[20] which the Inca calls the province of Salt, and on the following day came to Tanico.[21] This province was in the region of northwestern Arkansas and part of the Indian Territory. Here they found a warm brackish lake, which was "Roger's Salt Lake," located about 15 miles west of the Arkansas State line, and nearly west of Bentonville. On the Spanish map there is a salt fountain located in this province, which is the flowing salt spring at the head of Saline creek, about 15 miles southeast of the lake. It was here that the Confederate government established and maintained a station for the manufacture of salt. Biedma describes his province as being a very rough country of

[19] According to the Inca, this place was in the province of Colima, a Mexican name which was probably applied by the Spaniards.
[20] Cayase, Cayas, Caos, Kansas, which is also spelled Guyas.
[21] In 1687, while on Red river (in Arkansas?) Father Douay received an ambassy from Tanico.

hills. The towns were small, the houses being scattered about over the country. The last town, Tanico, was located on the east side of Grand or Neosho river.

On Wednesday, October 5th, they left the vicinity of Tanico, marching to the southward according to Elvas, and, passing over some rough hills, arrived at Tula[22] on Friday. The Indians said that 10 days' journey to the southeast was a province called Autiamque, which was near a great water. On Wednesday, October 19th, they left Tula, taking a southeast course, slept at hamlets on the three following nights, and on Saturday arrived at Quipana,[23] which was between two ridges near a river, which was the Illinois river. Ranjel states that all the country from Tula to Quipana was ridges, and Elvas says that they passed over very sharp mountains. Eight days' journey distant to the south was the province of Guahate. Leaving Quipana and turning to the eastward, they left the ridges and entered the plains on the following day. Passing through Anioxi and Quitamaya,[24] they arrived at Autiamque[25] on Tuesday, November 21st. Soon after reaching the end of their mountainous journey and before entering the plains, they crossed the Arkansas river, probably at the old ford located about 15 miles above Ft. Smith. Autiamque was located within 30 miles east of Ft. Smith, and on the south side of the river, which Elvas says passed by Cayas. This is accounted for by the fact that they were not at the junction of the Neosho and the Arkansas rivers, and therefore supposed that the two rivers were the same. During the winter they were visited by a lame chief, who was the lord of a town called Tietiquaquo, which was located in the province of Chaguate, and subject to the cacique of Autiamque.

Having passed the winter at Autiamque, they left there on Monday, March 6th, 1542, and marched down along the river to the province of Ayays,[26] "arriving at a town near the river that pass-

[22] From their practice of weeping, as related by Elvas, the people of Tula or Tulla were of the Caddoan family. The name may be of Mexican origin and applied by the Spaniards.

[23] Guipana, Quipana, Quipani, Pani or Pawnee.

[24] Fosamaya on the map.

[25] Ufianqui on the map.

[26] Yais (Yays) on the map. The name of this province should not be confounded with the province of Aays, which was located to the southward of Red river, in Texas.

ed by Cayas and Autiamque," and here they crossed to the north bank of the Arkansas. This crossing was to the northward of Pine Bluff, and probably in Jefferson county. They continued their march, passing through an uninhabited country, which was low and full of lakes and bad places, and at the end of three days arrived at a town called Tultelpinco, which was near a lake that flowed into the river. This place was on Big Bayou Meto, not far from the southeast corner of town 6, range 5, east, in Jefferson county. With much trouble they succeeded in crossing the bayou, and after a march of three days arrived at Tianto, in the province of Anilco, and two more leagues brought them to the town of Nilco. Here they crossed to the south side of the Arkansas river, and then marched to Guachoya.[27]

Nilco was on unoverflowed land located a few miles southeast of Arkansas Post, on section 30, town 8, south, range 2, west, in Desha county, where there is a large mound, as described by the Inca, and to the east and northeast of it the lake which is mentioned by Elvas. These descriptions do not apply to the first site or the present location of Arkansas Post. The Inca states that when the flood was at its height Nilco was on an island, and, although this is not mentioned by the other narratives, it may be taken as auxiliary evidence, for Elvas says that the flood reached to the town. Guachoya was in the vicinity of Arkansas City, in the same county, and possibly at or near the large mound one mile to the northward. The change of the topography caused by the earthquakes, together with the changes of the river-bed, makes it almost impossible to identify the site, if it is still in existence. All three of the accounts (Elvas, Biedma and Inca) agree in the statement that Nilco, Minoya and Guachoya were near one another. Elvas goes still further and locates Pacaha and Aquixo near the province of Guachoya. In speaking of the location of Nilco, he says: "This river, passing by Anilco, is the same that flows by Cayas and Autiamque, and falls into the River Grande,[28]

[27] The latter part of this name, choya or choye, is apparently Caddoan, and it would not be surprising if all the Indian tribes from Tula to the Mississippi river, and thence along the route to the Red river, were of the Caddoan or Pani family.

[28] At Guachoya the river was called "Tamaliseau," at Nilco, "Tapatu," and at Coça, "Mico," "Miko," *Chief*.

which flows by Pacaha and Aquixo, *near* the province of Guachoya."[29] All of the historians have ignored this passage or passed it without giving it a thought, and merely following the D'Lisle map of 1718, although some of them may have copied from previous writers. It is to this map that we are indebted for the placing of Sacchuma on the main traveled route and Guachoya at the mouth of Red river. The plain of Nilco was about three-quarters of a mile in diameter and above overflow, and as there is neither a large mound nor any unoverflowed land on the north side of Red river, within 60 miles of its mouth by water, these facts should settle the matter; but the above quotation from Elvas removes all doubt on the point.

Moscoso's Trip.

On June 5th the army, under command of Moscoso, left Guachoya, taking a northwesterly course and passing through the province of Catalte,[30] arrived at Chaguate, which Biedma calls Chavite (salt). The lame chief of this province, residing at a town called Tietiquaquo, visited Soto at Autiamque during the previous winter. This province was probably on Saline river, in Saline county. Biedma says they turned to the southwest-south from Aguacay, and gives as the reason for so doing, that on the course they were pursuing there were large sandy deserts, without any people or subsistence, which statement refers to the prairie country west of the Arkansas State line. His "due west" from Guachoya was considerably north of west, and his south-west-south, nearer south by southeast, for, as stated by Elvas, they had "neither captain nor pilot, needle or chart," and necessarily travelled by the sun. From Chaguate they turned to the south-southeast, and came to a town where there was a salt lake, in the province of Aguacay. This town and lake were on the west side of the Ouachita river, about two miles south of Arkadelphia, in Clark county. One of the chapter headings of the Ranjel narrative, which was not published by Oviedo, reads: "Hot rivers and salt made from sand." These were in the province of Aguacay. According to the Arkansas Geological Survey, there were

[29] Buckingham Smith's translation of the Gentleman of Elvas, Bradford Club Series, page 137.
[30] Catayet on the map.

formerly other hot springs in this region, and, as all the streams from them flowed eastward, it is very clear that the Spaniards passed to the east of this mountainous region, and in a southerly direction.

Continuing their march they passed through a town called Pato, and on the fourth day after leaving Aguacay came to a town in the province of Maye.[31] Having passed out of Maye, at midday, while camped near some woods, they were attacked by the caciques of Naguatex, Maye and Hacanac, probably on Prairie de Roane, near Hope. On the following day they came to a town in the province of Naguatex,[32] and camped a quarter of a league from a small river, which was Little river, in Hempstead county. After crossing the river, they came to a large river, and being unable to cross it, because it ran so full, returned to their camp. "The Indians said that it often increased in that manner, without there being rain anywhere in all the country." After eight days they again proceeded to the river and crossed it, being still in the province of Naguatex. The ford at which they crossed was located on Red river, about three miles east of the line between Texas and Arkansas, in the latter State, and is known as White Oak Shoals. On the Spanish map, Pato is placed on a very large island, and this, together with the flooded state of Red river as described by Elvas, led to a search for an island near the mouth of Little river. Such an island is located in the elbow or "great bend" of Red river, but on the south side, in Miller county. It is formed by the river, McKinney Bayou and Sulphur Fork of Red river, and is about 40 miles long, and from 2 to 13 miles in width. At the upper end of the island, and just south of the ford, is an unoverflowed piece of land known as the Bench Farm, which is the property of Mrs. Edna L. Orr. It was here that Moscoso and his followers camped for several days. This is the only large island above Fulton on Red river, and the next ford, 40 miles above by land, is too far up.[33]

Leaving Naguatex, they took a westerly course and arrived at

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[31] According to Sibley, a small tribe by this name lived in Texas, near the gulf, in 1805. American State Papers Indian Affairs, Vol. IV., page 722.

[32] Neguateix on the map. Nuttall (1821) suggests that this name is Natchitoche.

[33] The writer is indebted to the Honorable Thomas Orr, of Texarkana, Arkansas, for the description of the island and the fords.

a hamlet in the province of Nissohone.[34] Next they came to Guacane,[35] in the province of Nondacao,[36] to which the Inca apparently applies the name Auche.[37] The cacique came with his Indians, weeping, as those of Naguatex and Tula had done. Thence they passed through a forest and came to the province of Aays, which was in the buffalo range. Biedma says they came to a province called Hais, "where, in seasons, some cattle are want to herd; and, as the Indians saw us entering their land, they began to cry out: 'Kill the cows, they are coming,'" which statement indicates that their language was well understood by some of the Indian interpreters. This was apparently to the southward of Gainesville, Texas, the town being located just west of the "Lower Cross Timbers," on the prairie. No mention is made of any river in this region, for the reason that there were only small streams.

In 1716, among the tribes and towns in Texas which are mentioned in the Spanish accounts, were the Adaes (Adai), Assinays (Assini), Maylaes, Vidais, Youays and Aes.[38] It was during this period that Delores Mission was established among the Aes Indians in Eastern Texas,[39] but they then lived so near the Gulf that Moscoso must have heard of it had he visited them at that point. "Between the Neeches and Sabine were the Ascenis, the Adaes and Aes, parts of the great Caddo Nation, in disposition and habits of life resembling the Cenis."[40] As late as 1822 there

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[34] Nissonis or Nassonis, who were located 25 leagues northeast of the Cenis in 1685, the latter being located in central Texas, according to John G. Shea. During the latter part of the 17th and the early part of the 18th centuries, the homes of the Caddo and cognate tribes seem to have extended from the Brazos valley eastward into western Louisiana.

[35] Lacone on the map, and given as Guacane (Wakanee) by the Inca. The latter is evidently apart of the name To-wakanee. They may have been the Three Canes or Tawakanoes of Sibley, and otherwise known as the Tawakanees or Towiaches, a southern branch of the Pani family. One version of Lacane may be *the kanee.*

[36] Nondaco, Nadaco, Nandako or Anadako, a Caddo tribe of the Pani.

[37] This is the latter part of the name Towi-ache. In Spanish colonial times there was a settlement called Aiche on the road from Nacogdoches to San Antonio, and in 1830 a village by the same name was located on the Red river in northern Texas.

[38] The Aes, Ais or Ays were the Aays of Moscoso's time, but had changed their place of residence, as had some of the other tribes.

[39] Bancroft's History.

[40] History of Texas, by J. H. Brown.

were some Asinai (Ayish) Indians intermixed with the Mayeyenenes (Mayeye-ones), who lived on the Angelina river 100 miles above its junction with the Neches."[39]

Leaving Nayi, two days' march brought them to a town in the province of Nacaniso,[40] located in some close forests apparently the "Upper Cross Timbers." According to Rivas, they had marched on 20 days since leaving Nagueses, but from this must be deducted four to six days on which they were misled by their guides. Taking 16 days as their actual traveling time and 15 miles for a day's march,[41] the distance would be 240 miles and apparently in the same general direction. From Nacaniso they turned to the southward and arrived at Guasco Wasco or Nasco, which was in Young or Palo Pinto county. Old Fort Belknap was located on the Brazos river, in the former county in the territory that was seemingly the earliest home of the Wacos. From Guasco they now turned to the southeast, heading always southwesterly, following the Brazos valley, and visited a settlement called Naquicoza,[42] and the territory of another chief called Nacachoz.[43] From here they turned back to Guasco, and then marched for 10 days to the westward through a wilderness, arriving at the river Daccao.[44] An expedition crossed the river to explore the country beyond and captured some Indians,[45] but there was no Indian in the camp who could understand their language. Because they neither planted nor gathered anything but lived on flesh and fish. The Inca, whose statements are so badly mixed up, says: "Fresh cow's meat was found here, so

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[39] Report on Indian Affairs, by J. Moore.

[40] In some recent times known as Canchatino, Quanochanno or Cahinno. Joutel calls them Ayano, or Canachainno. John G. Shea locates them on the Colorado river, in LaSalle's time. Another version of the name may be "Tawakanno," or Tawakano.

[41] Two and three fifth miles may be considered as a league, twelve and one half miles an ordinary day's journey, and from 15 to 20 miles where a part of the night is included. The ordinary advance made by the cavalry is apparently from 18 to 20 miles per day, and the hurried advance from 25 to 35 miles.

[42] During Spanish colonial times, there was a tribe known as Naquis or Anaquis, who were settled near Goliad by the Catholic missionaries. The French who found them to the eastward of the Cenis, called them Haquis.

[43] Accoz on the map. A recent newspaper article proposes for this name, Tokowhoz or Nakachoz.

[44] The latter part of the name Caddo daquo or dako.

[45] Probably Comanches.

they called the country the province of Cowherds, on account of the quantity of cows' skins they saw there.....The army marched more than 30 leagues through this province, and after crossing it discovered towards the west some high ridges and mountains which were solitudes." The latter statement refers to the 10 days march to the westward. Elvas, in the summary at the end of his narrative, says that the region from Aguacay to Daycao, "a distance of 120 leagues, is continuously of mountainous lands," which indicates that this part of Mocoso's route passed through a hilly region. Across the river from old Ft. Belknap is the eastern end of a continuous forest which extends to the eastern slope of the "Staked Plains." This is the only forest through which they could have marched for 10 days to the westward. The Daycao river was probably the Double Mountain fork of Brazos river. The point at which they probably stopped was at the south angle of the river, in the northwestern part of Fisher county, distant about 100 miles from the fort. Apparently only one author has taken them so far to the westward, and he says that Moscoso traversed a considerable portion of the valley of Red river and arrived at the river Daycao, "supposed to have been the Pecos branch of the Rio Bravo del Norte."[48]

The uninhabited country beyond the river Daycao having terminated their efforts in this direction, they turned back toward the Rio Grande, following the route by which they came. After recrossing Red river in the province of Naguatex, and arriving at Chaguate, they turned to the northward and came to Ayays. Here they again crossed the Arkansas, and, turning to the southeast, passed through Tultelpinco and Chilano and arrived at Nilco. From here they went two days' journey (nine leagues) to the eastward to Minoya,[49] which was near the Mississippi, in Desha county.

Two days' journey up the river was a province called Taguanate, to which an expedition was sent, consisting of cavalry, which went by land, and infantry in canoes by the river, and assaulted the town. This province was located on White river, and the town was probably in the southern part of Monroe county, pos-

[48] *History of Illinois and Louisiana*, by Joseph Wallace.
[49] Animay on the map.

sibly at Indian bay. It was while on this expedition that the Spaniards discovered that White river "empties into the Rio Grande," as related by Biedma. It is probable that at that time the mouth of White river was many miles further to the northward, and that the channel between the White and Arkansas rivers, known as the cut-off, did not exist.

Having completed their brigantines, the Spaniards left Minoya on July 2nd, 1543, and passing Guachoya, 16 leagues below, came to where an arm of the river extended to the right, on which was located the capital of Quigualta or Quigudta. This arm was a channel connecting the Mississippi with Bayou Macon, and was located in the northern part of Chicot county, and from the wording of the text, it must have had a strong current. It was at this point that they learned of the connecting parallel streams, including Bayou Macon, Taensa Bayou and the Atchafalaya river. At that time the Atchafalaya probably formed the lower course of Red river, the latter not having cut through to the Mississippi. The statements of Elvas, together with the early maps showing the Mississippi as entering the Gulf by two great arms, some hundred of miles in length, gave rise to the appellations, "The river that divides itself in two," and "The forked river," terms used by some of the early French explorers.

Keeping the main channel to the left, on the second day they arrived at a town belonging to a chief named Huhasene,[50] a subject of Quigudta. This town was in Mississippi, for the banks on the opposite side are lower, and 150 years later the only Indians residing on that side were the Taensas, who were located west of the river, on Lake St. Joseph. On the fourth day (third on the river) they burned a town of 80 houses, which was located near the rivers' bluff. From the time and distance travelled, this place was at the Vicksburg bluffs, and, if this surmise is correct, the Spaniards, according to the Inca's account, fought the first battle of Vicksburg. Continuing their voyage, they ar-

[50] Huhasene may not be Choctaw, and possibly the name belongs to some Yazoo tribe. In Choctaw, "Osini" signifies a *bumble bee*. If we could assume some archaic form, as "Ohasini," we could get pretty close to Huhasene; but perhaps this is too far fetched. Assuming that this word is Choctaw, the above is the best that can be done for it.—Mr. H. S. Halbert.

rived at the delta of the river, having travelled, according to Elvas, a distance of 250 leagues in 17 days. The Inca gives the distance as being 750 leagues. If his leagues are accepted as miles, and the 250 leagues of Elvas computed at three miles to the league, the difference between the real and the estimated distance would be the same in both instances,—too great by about 30 miles.

FIRST ANNUAL REPORT OF THE DIRECTOR OF ARCHIVES AND HISTORY.

By Dunbar Rowland, Director.

Department of Archives and History,
Jackson, Miss., *Oct. 1st, 1902.*

To General Stephen D. Lee, Chancellor R. B. Fulton, Dr. R. W. Jones, Bishop Chas. B. Galloway, Prof. J. R. Preston, Dr. Franklin L. Riley, Judge B. T. Kimbrough, Prof. J. M. White and Prof. G. H. Brunson, Trustees of the Department of Archives and History.

Gentlemen:—In accordance with the rules and regulations of the Department of Archives and History, I have the honor to submit this my first annual report of the organization and activities of the Department from March 14th to October 1st, 1902.

Causes Creating Department.

It may be well in the beginning to trace briefly the causes which led to the establishment of this Department. These causes may be found not only in the demands which are local but also in those influences which are national and almost world-wide. The new or scientific conception of history has been a gradual growth from the time of Gibbon to the present, and has its basis in the careful preservation, appreciation, and examination of original historical archives and documents.

Such sources of information based on duly authenticated records of conceded value and validity, such as executive journals and letter-books, messages and proclamations, legislative documents, and judicial decrees, reports of public officers accurately compiled and prepared, are some of the foundations upon which reliable history of the future should be based.

In order that such primary material may be made available to investigators, progressive States are establishing from time to time special departments for the care, custody, and classification of official archives.

In this great movement our own national government has taken the lead, and of late years an immense amount of primary historical material has been made accessible to historical students. The movement for the preservation of valuable archives has possibly received its greatest impulse through the efforts of the American Historical Association. State historical societies, patriotic societies, private individuals and investigators, and the schools of history in the great universities of the country have, by intelligent and well organized efforts, done much to advance the cause of history preservation which is so important to the scientific historian of the new school.

It would be invidious to single out from the numerous patriotic members of the Mississippi Historical Society the names of those who have been most instrumental in bringing about the establishment of a Department of the State government whose duty it shall be according to the terms of the Act of establishment: "The care and custody of official archives, the collection of material bearing upon the history of the State, and of the Territory included therein, from the earliest times, the completion and publication of the State's official records and other historical materials, the diffusion of knowledge in reference to the history and resources of the State, the encouragement of historical work and research;" but there can be no wrong in saying that the splendid services of the Board of Trustees of this Department and of the Historical Commission, have been the direct cause of the present advanced position of the State in the great work of history preservation.

The Historical Commission.

In order that the record may be complete it is proper at this place to mention specially the work of the Executive Committee of the Historical Society in securing the passage of the Historical Commission Bill at the first regular session of the Legislature of 1900 entitled:

"An Act to authorize the appointment of a historical commission to regulate the powers and duties thereof and to make an appropriation to aid the Mississippi Historical Society in printing its publications." (Approved March 2, 1900.)

The passage of that bill was a just recognition by the State of the splendid services of the Society in its patriotic efforts to foster historical research.

The Historical Commission Bill was brought to the attention of the Legislature by a memorial prepared and presented by the Executive Committee of the Historical Society.

The report of the Historical Commission is a substantial volume of 394 pages and is a lasting monument to the industry and learning of Dr. Franklin L. Riley, Bishop Charles B. Galloway, Prof. J. M. White and Rev. T. L. Mellen, members of the Commission.

Legislation.

The first special message sent to the Legislature at its special session commencing January 7th, 1902, and ending March 5th, 1902, by Governor A. H. Longino relates to the establishment of this Department and reads as follows:

"EXECUTIVE DEPARTMENT, JACKSON, MISS., *January 14, 1902.*

"To the Senate and House of Representatives:

"GENTLEMEN: I have the honor to submit for your consideration and such actions as you may deem proper the following matter, to-wit:

"A bill to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and to provide for its maintenance and for the issuing of future publications of the Mississippi Historical Society.

"Respectfully,

"A. H. LONGINO."

The prudence and wisdom of the chief executive of the State in urging the establishment of a Department for the preservation of its priceless archives and records, a duty which had been overlooked and neglected in the past, was so forcibly impressed upon a wise and liberal Legislature that a bill embodying the ideas set forth in the message of the Governor was at once introduced in the Senate by Hon. E. H. Moore of Bolivar county, representing the 20th District, and the distinguished chairman of the Judiciary Committee.

The Act establishing the Department is known as S. B. No. 26 and was introduced in the Senate on the 6th day of the session, it being the 15th day of January, 1902, under the following title, to wit:

"An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties, and for the issuing of future publications of the Mississippi Historical Society."

The bill passed the Senate February 12th, 1902, passed the House February 24th, 1902, received the approval of the Governor and became a law February 26th, 1902.

A separate bill known as S. B. No. 72 for the maintenance of the Department was introduced by Senator Moore on February 11th, 1902, was passed by the Senate February 14th, 1902, went to the House and was passed February 25th, 1902, received the approval of the Governor February 26th, 1902, and became a law.

The legislative routine and procedure taken in the passage of these important bills may be found in the House and Senate Journals of 1902. The Act of establishment may be found in the *Laws of Mississippi* of 1902, chapter 52, pages 43, 44 and 45.

The Act for the maintenance of the Department may be found at chapter 34, page 31.

Too much praise of the wisdom and prudence of the Legislature displayed in the establishment of a system for the care and custody of the official archives of the State, cannot be given. Every member of both Houses shares in this progressive movement and they should be credited with all honor.

Section 2 of the Act of Establishment provides that the Department shall be under the control of nine Trustees, that the first Board of Trustees shall be the present Executive Committee of the Mississippi Historical Society, that the President of said Society shall call a meeting of the Trustees for the purpose of organizing the Department.

By virtue of this authority General Stephen D. Lee, President of the Mississippi Historical Society, called a meeting of the Board of Trustees for March 14th, 1902, at Jackson. The Board met on the day named by the President, for the transaction of such business as should come before it, the full minutes of that meeting follow:

Organization.

Minutes First Meeting Board of Trustees.

Be it remembered, that this day, March 14th, 1902, it being the day fixed by the President of the Mississippi Historical Society for the meeting of the Board of Trustees of the Department of Archives and History of the State of Mississippi, the said Board met in the City of Jackson, in the Library of the State Capitol,

for the transaction of the duties provided by law, when the following proceedings were had, to-wit:

A full attendance of the members of the Board was present, namely: Gen. S. D. Lee, Chancellor R. B. Fulton, Dr. R. W. Jones, Bishop C. B. Galloway, Prof. J. R. Preston, Dr. Franklin L. Riley, Judge B. T. Kimbrough, Prof. J. M. White, Prof. G. H. Brunson.

On motion of Chancellor Fulton, a temporary organization was effected by the election of Gen. S. D. Lee, President, and Dr. F. L. Riley, Secretary. Gen. Lee took the chair, stated the object of the meeting and asked the pleasure of the Board. A call was made for the reading of the bills creating the Department of Archives and History, whereupon the Secretary read said bills. It appearing, from the terms of the law, that the first duty of the Board of Trustees is to determine the length of service of the members of said Board by lot, it was moved by Judge Kimbrough that the drawing do now proceed. Said motion being carried, the Secretary prepared the papers for said drawing, having thereon the numbers 2, 4 and 6, representing the number of years of service of the trustees. Said drawing resulted as follows:

The following named members of the Board were allotted a term of two years: Bishop C. B. Galloway, Judge B. T. Kimbrough, Dr. Franklin L. Riley.

The following named members were allotted a term of four years: Gen. S. D. Lee, Prof. J. M. White, Prof. J. R. Preston.

The following members were allotted a term of six years: Chancellor R. B. Fulton, Dr. R. W. Jones, Prof. G. H. Brunson.

Chancellor Fulton then moved that the temporary organization as to President S. D. Lee be made permanent, motion stated by Chancellor Fulton and carried.

As directed by the law creating the Department of Archives and History of the State of Mississippi, the Board next proceeded to the election of a Director of said Department upon motion of Bishop Galloway. The following names were presented to the Board for said office: Charles H. Brough, of Clinton, Hinds county; W. F. Hamilton, of Carrollton, Carroll county, and Dunbar Rowland, of Coffeeville, Yalabusha county. Ballots were prepared and distributed, and after all the members had voted, it

was announced by the President that Dunbar Rowland had been elected to the position of Director of the Department of Archives and History of the State of Mississippi, by a vote of five for said Dunbar Rowland to four for said Charles H. Brough. The temporary secretary, Dr. Riley, then retired from his position, which was taken by Mr. Rowland, in accordance with the law, which provides that the Director shall be ex-officio secretary of the Board of Trustees of the Department.

The following resolution was offered by Dr. Jones, and passed by unanimous vote:

"In view of the fact that Dr. Franklin L. Riley, as Secretary of the Mississippi Historical Society, and as Chairman of the Mississippi Historical Commission, has performed, very distinctively, skillful and valuable services, and has been very active in the measures which led to the establishment of the Department of Archives and History, therefore,

"*Resolved*, That this Board of Trustees express to Dr. Riley their highest appreciation of his work in the past of this organization, and congratulate him upon the prospects of its future usefulness."

Dr. Jones offered this further resolution, which was passed by unanimous vote:

"*Resolved*, That the Board of Trustees of the Department of Archives and History of the State of Mississippi, hereby request the proper authorities of the United States Government to allow the official rosters of every Confederate army organization of Mississippi, to be sent to this Department, at Jackson, Mississippi, to be copied, and that the safe return of said rosters shall be guaranteed."

Chancellor Fulton offered this resolution, which was adopted:

"*Resolved*, That the publishers of each newspaper in the State, be requested to send all such publications to the Director of the Department of Archives and History for filing in its archives."

Bishop Galloway offered the following resolution, which was passed:

"*Resolved*, That the Director of the Department of Archives and History request the owners of manuscripts, portraits of distinguished Mississippians, or any historical articles, to either donate or loan the same to this Department. These are to be preserved and displayed in our museum and art gallery in the new capitol building."

Chancellor Fulton moved the appointment of a committee to prepare and report rules and regulations for the government and guidance of the Department. Seconded by Bishop Galloway and carried. Whereupon the President appointed as said committee, Chancellor Fulton, Dr. Riley and Mr. Rowland, the above

named committee were instructed to report at an adjourned meeting to be held in the Library of the State Capitol at nine o'clock a. m. Saturday, March 15th, 1902.

Chancellor Fulton moved that the President inform the Governor, Auditor and Secretary of State of the organization of the Department, and formally ask the assignment of suitable rooms for the use of the Department. Said motion was adopted.

Judge Kimbrough and Prof. Preston asked to be excused from further attendance on the meetings of the Board at this time, on account of urgent maters demanding immediate attention.

On motion of Bishop Galloway, the Board adjourned, to meet at the Library in the State Capitol, at nine o'clock a. m., Saturday, March 15th, 1902.

STEPHEN D. LEE,
President.

DUNBAR ROWLAND,
Secretary.

Be it remembered, that the Board of Trustees of the Department of Archives and History of the State of Mississippi, met, pursuant to adjournment, in the Library, at the State Capitol, at nine o'clock Saturday morning, March 15th, 1902, General S. D. Lee, President, in the chair, with the following members present: Bishop C. B. Galloway, Chancellor R. B. Fulton, Dr. R. W. Jones, Dr. F. L. Riley, Prof. J. M. White, Prof. G. H. Brunson. Minutes of previous meeting read and approved. Under the head of report of committees on unfinished business, the Committee on Rules and Regulations made the following report:

"Report of Majority of the Committee on Rules and Regulations:

"Your committee appointed for the purpose of providing rules and regulations for the organization and guidance of the Department of Archives and History of the State of Mississippi, beg leave to report as follows, to-wit:

"*1st.* This department shall be officially known as the Department of Archives and History of the State of Mississippi.

"*2nd.* To carry out the purposes of the law creating the Department of Archives and History of the State of Mississippi, the Board of Trustees shall elect the following officers, to-wit: a President, whose term of office shall be two years, an Executive Committee, of three members, whose term of office shall be two years, and a Director of Archives and History of the State of Mississippi, whose term of office shall be six years.

"*3rd.* It shall be the duty of the President to exercise all the functions of a presiding officer, call such special meetings of the Board of Trustees as the occasion may demand, at the request of two members of the Board of Trustees, at the request of the Director or at his own discretion.

"*4th.* The Executive Committee shall hold such meetings as may be requested by the Director, or as may be agreed upon by said committee. The committee shall have authority to transact for the Board of Trustees such business as may be brought before it by the Director, and as may need immediate attention. This committee shall keep a record of its transactions, which record shall be reported to the Board of Trustees at each regular meeting. The Executive Committee shall for the Board select and appoint such officers or employees, in addition to the Director, as may be necessary for the work of the department, and shall fix the compensation for such services.

"*5th.* The Director of the Department of Archives and History of the State of Mississippi, shall perform such duties as are provided for by the law creating the department, and shall make annually to the Board at each regular meeting, an administrative and financial report of the work of the department for the preceding year. The Director shall be ex-officio Secretary of the Executive Committee.

"*6th.* The Director of the Department of Archives and History, who by law is the Secretary of the Board of Trustees, is hereby authorized on behalf of the Board of Trustees, to make application to the Auditor, and with the approval of the Governor, draw the funds appropriated by law for the uses of this department and of the Historical Society.

"*7th.* The fiscal year shall be the same as the fiscal year of the State, and the regular annual meeting of the Board of Trustees shall be held in the first week of October of each year, at the time and place to be designated by the President.

"(Signed) R. B. FULTON,
"DUNBAR ROWLAND."

Dr. F. L. Riley, a member of the Committee on Rules and Regulations, then offered the following minority report:

"The undersigned member of the Committee on Rules and Regulations, begs to submit a minority report, differing from the majority report as follows:

"*1st.* Change section 6 of the majority report so as to read Section 6. The Director of the Department of Archives and History or the Secretary and Treasurer of the Historical Society is authorized on behalf of the Board of Trustees to make application to the Auditor, and with the approval of the Governor, to draw the funds appropriated by law for the uses of this department and of the Mississippi Historical Society. The said Director to draw the funds appropriated for the Department of Archives and History, and the Secretary and Treasurer of the Historical Society to draw the funds appropriated for the publications of said Society.

"*2nd.* Add to the majority report as follows: Section 8. The publications and records of the Department of Archives and History, with the exception of the official register of the State, shall be issued by the Mississippi Historical Society, and distributed as are the other publications of the said Society.

"Respectfully submitted,
"(Signed) FRANKLIN L. RILEY."

After discussion and mature deliberation by the members of the Board, the following action was taken:

Moved by Prof. White that both the majority and minority reports be received and voted on.

Dr. Jones moved adoption of 1st section, seconded by Prof. White, motion carried. Section 2 was thereupon adopted. Same action was taken in sections 3, 4 and 5.

Dr. Jones then moved the adoption of the substitute contained in minority report of section 6. Seconded by Prof. White. Said motion was put to the Board with the following result:

Voting for the substitute,

Bishop Galloway, Dr. Jones, Dr. Riley, Prof. Brunson, Prof. White.

Voting against the substitute,

Chancellor Fulton, General Lee.

Said section 6 of the minority report was then declared carried. Chancellor Fulton them moved for the adoption of section 8 as an addition to the report of the Committee on Rules and Regulations. Seconded by Prof. Riley and carried.

Prof. White then moved that report of Committee on Rules and Regulations be adopted as a whole, as above stated. Motion carried.

Chancellor Fulton then moved to reconsider the action of the Board relating to section 2, as to the selection of the Executive Committee. Seconded by Bishop Galloway, and carried.

Bishop Galloway then moved to amend section 2 by providing for the appointment of the Executive Committee by the President of the Board of Trustees. Said motion was put and carried. The President thereupon appointed the following named members as the Executive Committee of the Board of Trustees of the Department of Archives and History of the State of Mississippi, namely:

Chancellor R. B. Fulton, Dr. Franklin L. Riley, Prof. J. M. White.

The following resolution was then offered by Prof. Brunson and adopted:

"*Resolved*, That the Board of Trustees of the Department of Archives and History of the State of Mississippi, respectfully solicit the coöperation and assistance of all the newspapers, and all patriotic citizens of the State in the collection and preservation of all valuable material pertaining to the history of the State of Mississippi."

Prof. White moved, with the second of Dr. Jones, that the term of office of the Director of the Department of Archives and History of the State of Mississippi shall begin on March 15th,

1902, and his salary commence from that day, and be paid monthly at the rate of one hundred and fifty dollars ($150.00) per month. The Board of Trustees authorized the payment of $83.1c for the expenses of its members in attending the meetings of the Board on the 14th and 15th of March, 1902.

There being no further business before the Board, it adjourned, subject to the call of the President.

STEPHEN D. LEE,
President.

DUNBAR ROWLAND,
Secretary.

Official Notice of Organization.

The President of the Board of Trustees on March 15th, 1902, transmitted to the Governor the following official notice of the organization of the Department.

"JACKSON, MISS., *March 14th, 1902.*

"To His Excellency,
"Governor A. H. Longino:

"Pursuant to an act, approved February 26th, 1902, entitled 'An Act to establish a State Department of Archives and History under the auspices of the Mississippi Historical Society, to prescribe its functions and duties and for the issuance of future publications of the Mississippi Historical Society,' the Executive Committee of said Society, to-wit on the 14th day of March, 1902, met in the Library of the State Capitol at Jackson, and organized as prescribed by the act aforesaid, by dividing said Executive Committee into three classes of trustees, namely, the first class whose terms of service expire January 1st, 1904, are Bishop C. B. Galloway, Judge B. T. Kimbrough, Dr. F. L. Riley. The second class whose terms of service expire January 1st, 1906, are Gen'l S. D. Lee, Prof. J. M. White, and Prof. J. R. Preston, and the third class whose terms of service expire January 1st, 1908, are Chancellor R. B. Fulton, Dr. R. W. Jones, Prof. G. H. Brunson; and by electing Dunbar Rowland, Esq., the Director of the Department of Archives and History for a term of six years, and who by the terms of said act is made Secretary of said Board, and ex-officio Chairman of the Mississippi Hstorical Commission.

"You are respectfully requested to issue commissions accordingly.

STEPHEN D. LEE,
"President of Board of Trustees, Dept. Archives and History."

"DUNBAR ROWLAND,
"Secretary and Director Dept. of Archives and History."

Oath of Office.

In accordance with the terms of the law, I went before Hon. E. W. Brown, Supreme Court Clerk, and subscribed to this oath of office:

"STATE OF MISSISSIPPI,
"Hinds County:

"Before me, E. W. Brown, Clerk of the Supreme Court of the State of Mississippi, this day personally came Dunbar Rowland, who took and subscribed to the following oath:

"I, Dunbar Rowland, do solemnly swear that I will faithfully support the Constitution of the United States, and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of Director of the State Department of Archives and History of the State of Mississippi; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

"DUNBAR ROWLAND."

"Sworn to and subscribed before me this the 15th day of March, 1902.

"E. W. BROWN,
Clerk.

"[SEAL.]"

Commission.

On April 2nd, 1902, this commission was issued from the office of the Governor and Secretary of State.

"STATE OF MISSISSIPPI.

"To all to whom these present shall come, greeting:

"Know ye, that by virtue of the authority in me vested, by the Constitution and Laws of the State of Mississippi as Governor, I do hereby commission Dunbar Rowland, Director of the Department of Archives and History of the State of Mississippi, and I do authorize, empower and enjoin him, the said Dunbar Rowland to execute and fulfill the duties of said office according to law, and to have and to hold said office from the date hereof, with all the powers, privileges and emoluments thereto appertaining, until the said appointment is cancelled or revoked by competent authority, or until his successor in office shall have been duly appointed, qualified and installed in said office, in accordance with the laws of the State.

"In testimony whereof, I, A. H. Longino, Governor of the State aforesaid, have caused these letters to be made Patent and the Great Seal of the State to be hereunto affixed.

"Given under my hand, at the City of Jackson, the second day of April in the year of our Lord, one thousand, nine hundred and two.

"A. H. LONGINO.

"JOSEPH W. POWER,
"Secretary of State.
"[SEAL.]"

Location of Department.

After a conference with the Governor and Secretary of State relative to rooms for the use of the Department, I returned to my home at Coffeeville for the purpose of arranging my private affairs, which was done as speedily as possible.

I returned to Jackson within ten days after my election and en-

tered at once upon the new and important duties as Director of this Department.

It was decided by Governor Longino and Secretary Power that the most suitable rooms in which the new Department could be located were the two front rooms adjoining the Hall of Representatives known as the office of the Clerk of the House and the room of the Committee on Appropriations. These rooms were arranged and comfortably fitted up for the use of the Department. In this connection I desire to express my high appreciation of the hearty coöperation and assistance and the courtesy with which it was extended, of Governor Longino, Secretary Power and all the State officials. The generous and faithful officials of the State did much to lessen the difficulties and increase the efficiency of the Department in the first steps taken in its development.

My active labors began on the 24th day of March, 1902. For the past six months I have devoted myself exclusively to "the work and operations of the Department, using my best efforts to faithfully carry out the design of its creation."

In attempting to fulfil the laborious and important duties of a new and untried work I was not insensible to its responsibilities. I have labored assiduously to faithfully meet the just expectations of the people and my whole time has been devoted to the task which I have assumed.

Duties of the Director.

According to the terms of the Act of Establishment the duties of the Director of the Department are:

1. The care and custody of the official archives of the State.
2. The collection and preservation of materials bearing upon the history of the State and of the territory included therein from the earliest times.
3. The editing and compilation of official records and other historical materials of value.
4. The diffusion of knowledge in reference to the history and resources of Mississippi.
5. The encouragement of historical work and research among the people.
6. The arrangement and classification of valuable primary material, not official.

7. The collection of data in reference to soldiers from Mississippi in the war between the United States and the Confederate States, and to cause the same to be prepared for publication as speedily as possible.

8. The collection of portraits of the great men of Mississippi, pictures of historic scenes, historic houses and homes.

9. The editing and compilation after each general election of an official and statistical register of the State of Mississippi.

10. The direction of the future work of the Mississippi Historical Commission, as its ex-officio chairman.

11. The collection of historical materials of a printed or documentary character bearing upon the history of the State.

12. Keeping a record of the official acts of the Board of Trustees of this Department.

Condition of State Archives.

Before presenting a report on the condition of the historical and official records of Mississippi, it is well to state that this report is at best only preliminary and fragmentary, and that considerable time must necessarily elapse before a thorough examination and full report can be made. This report is based on an examination of five out of fifty record boxes, which has been made very laborious by the lamentable confusion resulting from past neglect, and has been conducted under great difficulties. There has been no official custody of the archives of the State not in use before the establishment of this Department. Their value and importance have not been appreciated in the past and the treatment which they received has been almost ruinous.

While there has been sad neglect of the official records of the State, it can be safely said, however, that nothing has been deliberately consigned to flames and water as has frequently happened to the records of some of the States. Several years ago many of the valuable records of Alabama were dumped into the Alabama river for fish food.

The capitol porters of Nebraska consigned a part of the historical archives of that State to the flames.

The most valuable archives of the State from a historical standpoint, are the old records, and as is generally the case, these have been treated with the greatest neglect.

It may be of interest in this connection to trace the history of the

official archives of the State from the beginning of Governor Sargent's administration to the present and to give what conclusions may be drawn from the evidence at hand of the removals from place to place to which they have been subjected. There is evidence to show that some of the official papers, letters to the Federal government and proclamations to the people of the Territory of Governor Sargent, were issued from "Old Concord," the famous official residence of the governors of the Province during the Spanish occupation. It is safe then to state that the first repository of the territorial archives was the old home of the Spanish governors.

There is also evidence to show that the official records of the Territory were taken to Natchez during the first year of the administration of Goveror Sargent.

During the administration of Governor Claiborne the town of Washington was made the seat of the territorial government and the official records were moved there.

It is stated in a report of the trustees of Jefferson College that the archives of the State were deposited with the college librarian when the Legislature of 1819 met in Natchez.

In 1821 the seat of government was located at Columbia and it is known that at least a part of the records were kept there, as several manuscripts, messages, bills and acts of the Legislature are dated at that place.

Jackson was made the capital of the State in 1822 and the archives were brought to the new seat of government between that year and 1824 and deposited no doubt in the old capitol building, which stood on the corner of Capitol and President streets, where the Harding building now stands.

When the new capitol at the head of Capitol street was completed the records were again moved, where they remained until 1863.

When the capture of Jackson by the Federal forces was a certainty, Governor Pettus had the official records of the State, which were in daily use, moved to Meridian, a place of greater safety. When Meridian was threatened they were moved to Enterprise and again to Columbus and Macon in the order named.

By order of Governor Clark they were no doubt returned to Jackson in 1865.

The condition in which I found the official records of Mississippi is the most convincing argument in favor of the establishment of this Department and impresses the importance of having a designated official whose duty it is to care for the accumulated historical treasures of a hundred years.

There has never been a suitable place for the preservation and arrangement of that portion of the archives of the State not in daily use.

With the exception of the Supreme Court there has been no attempt to keep the records of the different departments of the State government not in active use in a systematic way.

This neglect has not been the fault of the officials; for, as a general rule a public official could know nothing of the older records of his office and had little time to concern himself about any except those which were in daily use. When their offices became too crowded with accumulated records it was absolutely necessary to make room for daily needs by removing them to other quarters.

The old library room on the third floor of the Capitol building was generally used as a place of deposit for the overflow of the departments, many other rooms on the same floor were used for a like purpose and in the course of time an immense mass of the most valuable records of the State accumulated in that portion of the building. Under such conditions an arrangement or classification of material by the departments was impossible.

Official documents of all kinds from all departments were thrown together in hopeless confusion, and in this neglected condition they were generally regarded as old waste papers of no value.

The third floor of the Capitol building has for many years been entirely neglected, ruin and decay are in evidence on all sides, the accumulated dust and dirt of years is there, and summer suns and winter storms hold sway among the musty tomes of the past.

There is ample evidence to show that this splendid collection of primary historical material was frequently opened to the ravages of relic hunters and stamp collectors, who were allowed to take and carry away what pleased their fancy. It is known that a few historical documents of great value are now in the hands of citizens of the State, these will doubtless be returned on proper application from the Department.

In spite of neglect and rough usuage I am led to believe by the condition of official documents already examined and treated that the valuable archives of the State are in a fair state of preservation and completeness.

There is also ample evidence to show that the records begin with the Spanish, French, and English occupation, as a few documents of that period have been discovered.

The early territorial records beginning with the administration of Governor Sargent and ending with the administration of Governor Holmes seem to be full and well preserved.

The greater part of the official archives were allowed to remain in the old library room until about 1896. It was feared that the weight of the records above the Supreme Court room where the old library is situated, was dangerous to the judges below, and the archives of the State were sentenced and committed to the penitentiary.

When the old penitentiary building was torn down to make way for the new Capitol the records were returned to the old Capitol building, and placed in the corridors. They were packed in fifty boxes, without regard to order or arrangement, the original packages were broken by rough handling, which resulted in many instances in the archives of Governor Sargent's time being mingled in a confused mass with those of Governor Foote's administration.

The archives of the Executive, the Secretary of State, Auditor, Attorney-General, and others were to be found in the same package of papers.

Description of Archives.

The official records of the State which have been examined, may be classified as Provincial, Territorial, and State. Those classed as Provincial being the documents of the Spanish, French, and English occupation; Territorial documents being those extending from the Administration of Governor Sargent, beginning April 7th, 1798, to the admission of the State into the Union, Dec. 10th, 1817. The records classed as State archives are those from 1817 to the present time. A simple chronological classification has been made. A summary of these archives follows.

Provincial Archives.

No discoveries of provincial records or documents have yet been made, but there is abundant reason to believe that such archives are stored away in the large boxes which have yet to be opened. It is hoped that patient research will reveal them. While under this head it may be stated that a very interesting and valuable collection of French manuscripts, dealing with the trial of the famous outlaw and bandit, Samuel Mason, have been discovered, bound, and partially translated.

These manuscripts number 186 pages with dates extending from January 11th to January 27th, 1803. Mason was driven from the Mississippi Territory by the close pursuit of a company of militia acting under orders of Governor Claiborne, and crossed the Mississippi river into French territory where he was captured and tried at New Madrid.

The title of these interesting manuscripts reads as follows:

"Post of New Madrid, *January 11th, 1803.*

"Criminal procedure against Samuel Mason and wife commenced the 11th day of January, 1803, by Dr. Henry Peyroux, commandant of said post."

Territorial Archives.

The most ancient and valuable record of the territorial period, which I have examined, is the official Journal of Governor Winthrope Sargent which is now on file in the Department; with the exception of binding it is in a perfect state of preservation.

The caption of the Journal reads as follows:

"A Journal of the Proceedings in the Executive Department of the Government of the Mississippi Territory. Under the administration of His Excellency Winthrope Sargent commencing the twenty-first day of May, 1798."

It contains 447 pages of official records extending from the above date to April 3, 1801.

A description in part follows; which is sufficient to indicate its value:

Executive Archives: Governor Sargent.

Table of Contents of part of Official Journal of Governor Winthrope Sargent, first Governor of Mississippi Territory.

1798.

1. Governor Sargent to Timothy Pickering, Secretary of State. May 21.
2. Governor Sargent to Timothy Pickering, Secretary of State. May 29.
3. Governor Sargent to Timothy Pickering, Secretary of State. May 29.
4. Governor Sargent to Timothy Pickering, Secretary of State. June 4.
5. Governor Sargent to Timothy Pickering, Secretary of State. June 16.
6. Governor Sargent to John Steele, Secy. Miss. Ter. Without date.
7. Address delivered by the Governor to a large assemblage of the inhabitants of the territory. August 16.
8. Order for the arrest of Zackariah Cox to Capt. Green. August 18.
9. Governor Sargent to Timothy Pickering, Secy. of State. August 20.
10. Governor Sargent to Samuel Mitchell, Choctaw Agent. Sept. 3.
11. Governor Sargent to Peter Bryan Bruin, Territorial Judge. Sept. 5.
12. Order for the establishment, regulation of the militia and appointment of officers. September 8.
13. Circular to commanding and field officers of militia. Sept. 8.
14. Information to the inhabitants of Mississippi Territory. Sept. 9.
15. Governor Sargent to Andrew Ellicott. Sept. 10.
16. Governor Sargent to Timothy Pickering, Secy. of State. Sept. 11.
17. Governor Sargent to Andrew Ellicott. Sept. 18.
18. Governor Sargent to Don Manuel Gayoso de Lemos, Governor of Louisiana. Sept. 18.
19. To same. Sept. 28.
20. To Timothy Pickering, Secy. of State. Sept. 29.
21. To Timothy Pickering, Secy. of State. Sept. 29.
22. To Genl. James Wilkinson. Sept. 30.
23. Proclamation. Oct. 4.
24. To Genl. James Wilkinson. Oct. 6.
25. To Genl. George Mathews. Oct. 6.
26. To Southern Sub.-Legion of Cavalry. Oct. 14.
27. To Genl. James Wilkinson. Oct. 16.
28. To Timothy Pickering, Secy. of State. Oct. 17.
29. James Ross United States Senator. Oct. 17.
30. Proclamation. Oct. 18.
31. Proclamation. Oct. 18.
32. Proceedings with Indians. Oct. 19.
33. To General James Wilkinson. Oct. 20.
34. To Andrew Ellicott. Oct. 24.
35. Authority to Joshua Howard, Esq., to take depositions in camp of Andrew Ellicott. Oct. 24.
36. To Timothy Pickering, Secy. of State. Nov. 1.
37. Genl. James Wilkinson. Nov. 2.
38. Warrant for arrest of James White, John Callahan and William West. Nov. 7.
39. To William Dunbar, Esq. Nov. 7.
40. Reward for arrest of Zachariah Cox. Nov. 7.
41. To Genl. James Wilknson. Nov. 19.
42. To Mr. Welch, Indian Interpreter. Nov. 14.
43. To Mr. Mitchell. Nov. 14.
44. To Genl. James Wilkinson. Nov. 14.
45. To Col. Cato West. Nov. 23.
46. To Peter Walker and Lewis Evans. Nov. 24.
47. To Monsieur Filhine Com. Ft. Mero. Dec. 1.
48. To Col. Cato West. Dec. 4.
49. Military Order. Dec. 4.
50. To James Mitchell, Choctaw Agent. Dec. 10.
51. To Timothy Pickering, Secy. of State. Dec. 20.

52. To Adam Bingham. Dec. 20.
53. To Timothy Pickering, Secy. of State. Dec. 21.
54. Statement that copies of foregoing documents were sent to the Secretary of State at Washington, D. C. August 10th, 1799.

1799.

55. Governor Sargent to Judge Bruin. Jany. 3.
56. Governor Sargent to Judge Bruin. Jany. 7.
57. Governor Sargent to President Adams. Jany. 8.
58. Governor Sargent to President Adams. Jany. 8.
59. Governor Sargent to Secy. of State Pickering. Jany. 8.
60. Governor Sargent to Genl. James Wilkinson. Jany. 8.
61. Governor Sargent to Col. Thomas Butler. Jany. 15.
62. Governor Sargent to Secy. of State Pickering. Jany. 15.
63. Governor Sargent to Secy. of State Pickering. Jany. 17.
64. Governor Sargent to Col. Benj. Hawkins, Creek Agent. Feby. 1.
65. Governor Sargent to Judge McNary. March 2.
66. Governor Sargent to Secy. of State Pickering. March 13.
67. Governor Sargent to Secy. of State Pickering. March 13.
68. Governor Sargent to Governor Gayoso. March 14.
69. Governor Sargent to Genl. James Wilkinson. March 17.
70. Governor Sargent to Secy. of State Pickering. March 21.
71. Governor Sargent to Col. Steele, Territorial Secy. March 22.
72. Governor Sargent to Genl. James Wilkinson. March 22.
73. Governor Sargent to Genl. James Wilkinson. March 22.
74. General Military Orders. March 25.
75. Proclamation. March 20.
76. To Genl. James Wilkinson. March 25.
77. To Col. Steele, Territorial Secy. No date.
78. Proclamation. March 20.
79. To Mr. Vidal. March 28.
80. Letter with no address. March 29.
81. Proclamation. April 2.
82. To Genl. James Wilkinson. April 3.
83. To Genl. James Wilkinson. April 3.
84. Commissions. April 5.
85. Commission. April 5.
86. Commission. April 6.
87. Commission. April 6.
88. Appointment of William Williams, Gentleman, Keeper of the Seal. April 5.
89. To Capt. Heath. Feby. 23.
90. To William Forguson. Feby. 23.
91. To Governor Gayoso. April 15.
92. To General James Wilkinson. April 17.
93. To Secy. of State Pickering. April 20.
94. Proclamation. April 27.
95. Commission. May 6.
96. To Sheriff of Pickering County. May 20.
97. To Judge Tilton. May 23.
98. To Secretary of State Pickering. May 26.
99. Commission. Oct. 5, 1798, and May 5, 1799.
100. Commission. Oct. 20.

This journal covers the entire administration of Governor Sargent and imparts facts of the highest value.

The last letter at page 445 informs the Secretary of State of the intention of Governor Sargent to leave the Territory for a visit to the Atlantic States and he never returned to the discharge of his official duties.

The Sargent Laws.

I have been fortunate in rescuing from dirt and decay many of the original manuscript laws made by the Governor and territorial judges. These valuable documents have been carefully treated and pressed and are now in good condition.

The greater portion of them are signed by Winthrope Sargent, Peter Bryan Bruin and Daniel Tilton, some are signed by William McGuire and Seth Lewis.

A detailed description of these laws by title follows:

1. A Law in aid of, and in addition to the regulations of the Governor for the permanent establishment of the Militia of the Mississippi Territory.
2. A Law establishing Courts of judicature.
3. A Law respecting crimes and punishments.
4. A Law establishing a Court of Probate.
5. A Law regulating marriages.
6. A Law respecting oaths of office.
7. A Law concerning defalcation.
8. A Law to regulate taverns and retailers of liquors and concerning Indians.
9. A Law respecting sheriffs, coroners, recorders and treasurers.

   All the above entitled laws were passed February 28, 1799, and are signed by Winthrope Sargent, Peter Bryan Bruin and Daniel Tillton.
10. A Law concerning aliens and contagious diseases. Passed March 18, 1799.
11. A Law to prevent trespasses in divers cases. Passed March 19, 1799.
12. A Law for the regulation of slaves. Passed March 30, 1799.
13. A Law establishing and regulating the fees of the several officers and persons therein named.
14. A Law for the dividing the counties into Townships and constituting constables and overseers of the poor.
15. A Law directing the manner in which money shall be raised and levied to defray the charges which may arise within the several counties.

    Nos. 13, 14 and 15 were passed April 3, 1799.
16. A Law for allowing Domestic attachments. Passed April 10, 1799.
17. A Law for the well regulating of Gaols and Prisons.
18. A Law directing the building and establishing of a court house and gaol, pillory, whipping-posts and stocks in every county.
19. A Law for opening and regulating highways.
20. A Law regulating domestic attachments.

    Nos. 17, 18, 19 and 20 were passed April 12, 1799.
21. A Law allowing foreign attachments. Passed April 13, 1799.
22. A Law regulating enclosures. Passed April 15, 1799.
23. A Law for the easy and speedy recovery of small debts. Passed April 17, 1799.

24. A Law authorizing the governor to establish public ferries. Passed May 1, 1799.
25. A Law directing in whose name recognizances shall be taken.
26. A Law to enable an obligee or obligees to bring action on a joint obligation against one or more of the obligors when any of them are not residents of this Territory. And also to make obligations and promissory notes assignable and also receipts for cotton.
27. A Law directing the mode of binding apprentices.
28. A Law pointing out the mode of entering special bail out of term time.
29. A Law to prevent the importation of distempered cattle into this Territory.

Nos. 25, 26, 27, 28 and 29 were passed Sept. 21, 1799.

30. A Law creating the office of clerk of the Legislature. Passed Oct. 3, 1799.
31. A Law to provide for the inspection of gins, cotton presses, and cotton intended for exportation from this Territory.
32. A Law to impose a fine on persons refusing to fill the office of constable.
33. A Law fixing the place where the supreme courts of this Territory shall be held, the number of sessions, and the time for holding them.

Nos. 31, 32 and 33 were passed Oct. 5, 1799.

34. A Law extending and defining the limits of the gaol yards in this Territory.
35. A Law in addition to and amendment of the law for the permanent establishment of the Militia of the Mississippi Territory.
36. A Law in addition to the laws for the regulation of slaves and Indians.
37. A Law authorizing the session of the supreme court at the county on Tombeckbee whenever it shall be established.
38. A Law divorcing John Walton from his wife.

Nos. 34, 35, 36, 37 and 38 were passed May 27, 1800.

39. A Law to alter the times of holding the supreme court in the county of Adams and for other purposes. Passed Oct. 2, 1800.
40. A Law to alter and amend a law heretofore passed in this Territory entitled "A Law fixing the place where the supreme court for this Territory shall be held, the number of sessions and the time of holding them," and for other purposes.
41. A Law providing for the speedy trial of slaves.
42. A Law to direct the mode in which moneys may be drawn from the county treasurers and for other purposes.
43. A Law to render promissory notes and cotton receipts negotiable and for other purposes.
44. A Law to alter and amend the law respecting crimes and punishments.

Nos. 40, 41, 42, 43 and 44 were passed Oct. 30, 1800.

Executive Journal, in Part, and Other Documents of Gov. Wm. C. C. Claiborne.

From July 10, 1801, to March 27, 1803.

1801.

1. Notice of appointment as Territorial Governor by James Madison, Secretary of State. July 10.
2. Commission from President Jefferson. May 25.
3. Gov. Claiborne to James Madison. Aug. 2.
4. Gov. Claiborne to James Madison. Sept. 16.

5. Gov. Claiborne to James Madison. Oct. 7.
6. Gov. Claiborne to James Madison. Nov. 24.
7. Gov. Claiborne to James Madison. Dec. 12.
8. Address from Governor to Assembly. Dec. 2.
9. Answer of the Assembly. Dec. 4.
10. Col. Benj. Hawkins to Governor. Dec. 10.
11. Col. John McKee to Col. Hawkins. Dec. 9.
12. Governor to Col. Benj. Hawkins. Dec. 14.
13. Proclamation Dec. 14.
14. Proclamation. Dec. 18.
15. To James Madison. Dec. 20.

1802.

16. To James Madison. Jan. 8.
17. To Lewis Evans. Jan. 9.
18. To William Vousdom. Jan. 11.
19. Appointment of Abner Green, Tr. Genl. Jan. 12.
20. To James Madison. Jan. 20.
21. To President Jefferson. Jan. 21.
22. Address to President Jefferson by the House. Jan. 20.
23. To James Madison. Jan. 23.
24. To Bernard Lintot. Jan. 23.
25. To James Madison. Feb. 5.
26. To Genl. James Wilkinson. Jan. 29.
27. Answer of Genl. Wilkinson. Jan. 29.
28. To Gov. Genl. of Louisiana. Feb. 10.
29. To Capt. Richard Sparks. Feb. 16.
30. To James Madison. Feb. 16.
31. In matter of application for pardon. Feb. 20.
32. To James Terrall, public printer. Feb. 23.
33. To Col. Henry Hunter. Feb. 24.
34. Governor's address to the people of Miss. Territory. March 1.
35. In matter of Bernard Lintot. March 2.
36. To Lyman Harding. March 3.
37. To James Madison. March 6.
38. Passport to John Duhomel. March 9.
39. From Governor of North Carolina. Jan. 4.
40. Answer of Gov. Claiborne. March 11.
41. To John Henderson. March 18.
42. To Peter Walker. March 18.
43. To Col John McKee. March 28.
44. Governor Genl. of the Province of Louisiana to Gov. Claiborne. Feb. 28.
45. Answer of Governor Claiborne. March 29.
46. List of appointments. April 1.
47. Speech to Indians. April 2.
48. To James Madison. April 3.
49. Proclamation convening Legislature. April 3.
50. To Secretary of War. April 8.
51. From Evan Jones to Governor. March 17.
52. Answer of Governor. April 7.
53. From Samuel Postlethwait. April 7.
54. To Col. John McKee. April 7.
55. Capt. Shamburg to Governo . April 7.
56. Answer of he Governor. April 12.
57. Receipt for ordnance and military stores. April 12.
58. Circular letter to Members of House. April 16.
59. To Capt. Samuel Postlethwait. April 16.

60. To William Dunbar, Esq. April 16.
61. Secretary of War to Governor. Feb. 23.
62. Answer of Governor. April 19.
63. Secretary of War to Governor. Feb. 22.
64. Answer of Governor. April 24.
65. To Col. Daniel Burnet. April 27.
66. To Lt. Rennick. April 27.
67. To Commander of U. S. regulars on Tennessee River. April 27.
68. To Col. John McKee. May 1.
69. To Wm. McComick. May 1.
71. Message to Council and House. May 4.
72. Message to Council and House. May 4.
73. From Nathanial Macon. March 13.
70. To Capt. B. Shamburg. May 3.
74. From John Beckley. March 12.
75. To Col. Benj. Osman. May 6.
76. From Secretary of War. March 10.
77. Answer of Governor. May 10.
78. To Isaac Collier and Nathanial Christmas. May 10.
79. To Secretary of State. May 14.
80. To Secretary of War. May 14.
81. To Judge Seth Lewis. May 22.
82. From Secretary of War. April 8.
83. Answer of Governor. May 24.
84. To James Madison. May 28.
85. From James Madison. April 9.
86. Commission from President Jefferson to Wm. C. C. Claiborne as Governor of Mississippi Territory. Jan. 26.
87. To Secretary of State. June 1.
88. From President Jefferson. April 3.
89. To President Jefferson. June 1.
90. To James Scurlock. June 2.
91. To Edward Turner. June 4.
92. To Col. John McKee. June 4.
93. To Secretary of War. June 10.
94. Warrant on Treasurer. June 12.
95. To officers of First Reg. of Militia. June 21.
96. Wm. McCormick to Governor. June 22.
97. Answer of Governor. June 22.
98. Proclamation. June 22.
99. From Wm. E. Huling. June 12.
100. Answer of Governor. June 26.
101. To Col. John McKee. June 29.
102. From Secretary of War. May 24.
103. Answer of Governor. June 29.
104. Circular letter to sheriffs. June 30.
105. To Secretary of War. June 30.
106. From Secretary of State. May 11.
107. Answer of Governor.
108. Opinion of Atty. Genl. of U. S. March 26.
109. List of appointments. July 1.
110. To Capt. Richard Sparks. July 1.

The remaining letters and documents of this journal are full of interest and are 240 in number.

Executive Journal in part of Governor William C. C. Claiborne.

November 19, 1803, to April 3, 1804.

1803.

1. Governor Claiborne to James Madison, Secy. of State. Nov. 19.
2. Governor Claiborne to Daniel Clark. Nov. 21.
3. Governor Claiborne to Daniel Clark. Nov. 22.
4. Governor Claiborne to James Madison. Nov. 26.
5. Governor Claiborne to James Madison. Nov. 29.
6. Governor Claiborne to James Madison. Nov. 30.
7. Governor Claiborne to James Madison. Dec. 1.
8. Governor Claiborne to James Madison. Dec. 2.
9. Governor Claiborne to James Madison. Dec. 4.
10. Governor Claiborne to James Madison. Dec. 6.
11. Governor Claiborne to James Madison. Dec. 7.
12. Governor Claiborne to James Madison. Dec. 8.
13. Governor Claiborne to James Madison. Dec. 20.

The above letters are very valuable documents and deal with the preparations of Governor Claiborne as one of the commissioners on the part of the United States to go to New Orleans to receive the Louisiana Purchase from France.

14. Proclamation of Governor Claiborne as Governor General and Intendant of the Province of Louisiana. Dec. 20.
15. Address of Governor Claiborne delivered to the people of New Orleans. Dec. 20.
16. Circular letter to the Governors of Ohio, Kentucky, Tennessee and the Secretary of the Mississippi Territory. Dec. 20.
17. Relating to notaries public. Dec. 23.
18. Proclamation. Dec. 24.
19. To James Madison. Dec. 27.
20. Pardon of John Quarles, &c. Dec. 28.
21. An Ordinance. Dec. 30.
22. Regulations relating to shipping. Dec. 29.

1804.

23. To James Madison. Jan. 2.
24. To Secretary of State. Jan. 10.
25. To Julian Poidras. Jan. 14.
26. To M. Bore, Mayor of New Orleans. Jan. 15.
27. An Ordinance. Jan. 16.
28. To James Madison. Jan. 17.
29. An Ordinance by the Governor, Thos. H. Williams, P. Sec. Jan. 19.
30. An Ordinance by the Governor, Thos. H. Williams, P. Sec. Jan. 20.
31. To Officer commanding French Brig. Jan. 20.
32. Governor's order. Jan. 22.
33. To Post Master, Nashville, Tenn. Jan. 24.
34. To James Madison. Jan. 24.
35. To Capt. Amos Stoddard. Jan. 24.
36. To Don Juan Ventura Moralles. Jan. 26.
37. To M. Bore, Mayor, New Orleans. Jan. 28.
38. General Military orders. Jan. 28.
39. To James Madison. Jan. 31.

40. To Henry Dearborne, Secy. of War. Jan. 31.
41. General Military orders. Feb. 2.
42. To James Madison. Feb. 4.
43. To Beverly Chew. Feb. 4.
44. An Ordinance. Feb. 5.
45. To Capt. Lewis Deblanc. Feb. 5.
46. To James Madison. Feb. 6.
47. To Major F. L. Claiborne. Feb. 7.
48. To Major F. L. Claiborne. Feb. 7.
49. To M. Bore, Mayor of New Orleans. Feb. 8.
50. Order by the Governor. Feb. 8.
51. Dr. Watkins. Feb. 9.
52. Order by the Governor. Feb. 9.
53. To A. D. Tureand and Saml. Winters. Feb. 9.
54. To M. Bore, Mayor of New Orleans. Feb. 12.
55. To Genl. James Wilkinson. Feb. 13.
56. To James Madison. Feb. 13.
57. To Henry Dearborne. Feb. 16.
58. To Governor Faulk. Feb. 17.
59. To Gideon Granger. Feb. 18.
60. To James Madison. Feb. 18.
61. To James Madison. Feb. 18.
62. To James Madison. Feb. 20.
63. To Don Juan Ventura Moralles. Feb. 20.
64. Form of passport. Feb. 21.
65. Proclamation. Feb. 21.
66. Proclamation. Feb. 21.
67. An Ordinance. Feb. 25.
68. Proclamation. Feb. 26.
69. To Julian Poydras. Feb. 25.
70. To Capt. Edward D. Turner. Feb. 25.
71. To James Madison. Feb. 26.
72. To Major F. L. Claiborne. Feb. 26.
73. An Ordinance. Feb. 27.
74. To Col. Cato West. Feb. 27.
75. To Officer commanding at Balize. Feb. 28.
76. To Officer commanding at Bayou St. Jean. Feb. 29.
77. An Ordinance. Mar. 1.
78. To Mayor, New Orleans. Mar. 1.
79. To Mayor, New Orleans. Mar. 1.
80. Order of the Governor. Mar. 1.
81. To Beverly Chew. Mar. 2.
82. John Watkins to Governor Claiborne. Feb. 2.
83. To James Madison. Mar. 1.
84. To James Madison. Mar. 2.
85. An Ordinance. Mar. 3.
86. To Governor Folch. Mar. 7.
87. To Joseph Chambers. Mar. 8.
88. To James Madison. Mar. 9.
89. To James Madison. Mar. 10.
90. To James Madison. Mar. 10.
91. Citizens of Washington to Governor Claiborne. Feb. 29.
92. Answer of Governor Claiborne. Mar. 8.
93. An Ordinance. Mar. 12.
94. An Ordinance. Mar. 13.
95. An Ordinance. Mar. 15.
96. To M. Laussat. Com'r of France. Mar. 15.
97. To M. Debatour. Mar. 15.

98. Letter from Governor Folch. Mar. 15.
99. To James Madison. Mar. 15.
100. To James Madison. Mar. 16.
101. To James Madison. Mar. 16.
102. Letter to Governor. Mar. 13.
103. Letter to Governor. Mar. 13.
104. To M. Bellechasse. Mar. 17.
105. To M. Bore, Mayor, New Orleans. Mar. 19.
106. To M. Bore, Mayor, New Orleans. Mar. 20.
107. To Joseph Chambers. Mar. 21.
108. To M. Bellechasse. Mar. 22.
109. To Mr. St. Armand. Mar. 22.
110. From Henry Dearborne, Secy. of War, to Gov. Feb. 20.
111. To James Madison. Feb. 20.
112. To Gideon Granger. Feb. 20.
113. To Genl. James Wilkinson. Mar. 22.
114. To Henry Dearborne. Mar. 22.
115. To James Madison. Mar. 24.
116. Extract of Letter to P. M. Genl. Mar. 24.
117. To Beverly Chew. Mar. 24.
118. To Col. Cato West. Mar. 24.
119. To Albert Gallatin, Secy. Tr. Mar. 25.
120. To M. Laussat. Mar. 26.
121. To M. Laussat. Mar. 26.
122. Protest against French Privateer La Coquette. Mar. 28.
123. To Marquis De Caso Calvo. Mar. 28.
124. From James Wilkinson to Governor. Mar. 26.
125. To Major D'Oseir. Mar. 30.
126. To Commandants of Districts. Mar. 28.
127. To Mayor and Municipality of New Orleans. Mar. 31.
128. To Mayor and Municipality of New Orleans. Mar. 31.
129. To James Madison. Mar. 31.
131. To Thomas Villanuiva. Apr. 2.
132. To Antonie St. Amard. Apr. 2.
133. To Joseph L'Andry. Apr. 3.
130. To Albert Gallatin. Apr. 1.
134. To Miquell Cantrell. Apr. 3.
135. To M. Bore, Mayor, New Orleans. Apr. 3.
136. To James Madison. Apr. 3.

This volume of letters covers a very important period of the nation's history, which is of special interest in view of the approaching celebration of the Louisiana Purchase at St. Louis.

Official Letters and Documents of Cato West, Acting Governor of Mississippi Territory.

1804—1805.

1. From James Mitchell. Jan. 31, 1804.
2. Petition in favor of Wm. Nickols. Nov. 25, 1804.
3. Remonstrance against jail of Adams County. Aug. 21, 1804.
4. From Abner Green, Territorial Treasurer. Nov. 26, 1804.
5. From James Mitchell. Feb. 19, 1804.
6. From James Mitchell. May 9, 1804.
7. From John Sibley. June 4, 1805.
8. From Silas Dinsmore. Feb. 5, 1805.

9. Petition from citizens of Adams County. 1805.
10. Commission of Micajar Frazier, Justice of Peace of Wilkinson County, signed Cato West. May 19, 1804.

Executive Journal in part of Governor William C. C. Claiborne.

May 4, 1805, to February 13, 1806.

1805.

1. Governor Claiborne to Major Claiborne. May 4.
2. Governor Claiborne to Thomas Jefferson. May 4.
3. Governor Claiborne to James Madison. May 4.
4. Governor Claiborne to James Madison. May 5.
5. Governor Claiborne to Stephen Zackery, Esq. May 7.
6. To Gov. Claiborne from Wm. D. Nicholson. May 7.
7. Governor Claiborne to Capt. Tarver. May 7.
8. Governor Claiborne to John W. Alexander. May 7.
9. Translated letter from the Marquis of Casa Calvo to the Gov. General of the Territory of Orleans. May 6.
10. From ——— to Gov. Claiborne. Apr. 22.
11. Governor Claiborne to the Marquis of Casa Calvo. May 6.
12. Governor Claiborne to Gov. Williams. May 6.
13. Governor Claiborne to Mr. ———. May 6.
14. Governor Claiborne to Judge Collins. May 9.
15. Governor Claiborne to the sheriffs in Territory (circular). May 9.
16. Governor Claiborne (note) witnessed by Thomas S. Kennedy and George W. Morgan. May 9.
17. Governor Claiborne to James Pitot, Esq. May 10.
18. Governor Claiborne to James Madison. May 10.
19. Governor Claiborne to Wm. B. Shields. May 10.
20. Governor Claiborne to James Madison. May 13.
21. Governor Claiborne to James Pitot. May 3.
22. Governor Claiborne to Lieut. Col. Freeman. May 13.
23. Pardon. May 13.
24. Governor Claiborne to Lieut. Col. Freeman. May 14.
25. Dorn A. Hall to Governor Claiborne. May 13.
26. Governor Claiborne to Secretary o State. May 16.
27. Governor Claiborne to James Madison. May 29.
28. Governor Claiborne to Joseph Landy. May 20.
29. Governor Claiborne to James Madison. May 31.
30. From Judge Hall to Governor Claiborne. June 1.
31. Governor Claiborne to Col. Freeman. June 1.
32. Col. Freeman to Governor Claiborne. June 2.
33. Governor Claiborne to Col. Freeman. June 3.
34. Governor Claiborne to Henry Dearborn. June 3.
35. Governor Claiborne to James Madison. June 3.
36. Governor Claiborne to Henry Dearborn. June 3.
37. Governor Claiborne to Henry Dearborn. June 4.
38. Governor Claiborne to Col. Freeman. June 5.
39. Col. Freeman to Governor Claiborne. June 5.
40. Governor Claiborne to Col. Freeman. June 5.
41. Dorn A. Hall to Governor Claiborne. June 5.
42. Governor Claiborne to Judge Hall. June 6.
43. Dorn A. Hall to Governor Claiborne. June 6.
44. Governor Claiborne to James Madison. June 6.
45. Governor Claiborne to James Madison. June 6.
46. Governor of Territory of Orleans to Col. Freeman. June 6.
47. Governor Claiborne to James Madison. June 6.

48. Governor Claiborne to Post Master General. June 7.
49. Governor Claiborne to James Pitot. June 6.
50. Governor Claiborne to Lady Abbess. June 6.
51. Governor Claiborne to Thomas Jefferson. June 9.
52. Governor Claiborne to Dr. I. Sibley. June 10.
53. Governor Claiborne to Secretary of Treasury. June 10.
54. Accounts submitted to Treasury Department. June 10.
55. Governor Claiborne to Mr. Howard. June 12.
56. Governor Claiborne to Col. Freeman. June 12.
57. Governor Claiborne to Col. Freeman. June 12.
58. Governor Claiborne to Col. Freeman. June 12.
59. Governor Claiborne to M. Andry. June 12.
60. Governor Claiborne to Col. Freeman. June 13.
61. Governor Claiborne to Col. Freeman. June 13.
62. Governor Claiborne to Col. Freeman. June 13.
63. Governor Claiborne to Col. Freeman. June 13.
64. From Gov. Claiborne to Col. Freeman. June 14.
65. From Gov. Claiborne to Thomas Jefferson. June 17.
66. From Gov. Claiborne to Post Master General. June 17.
67. From Governor Claiborne to James Pitot. June 16.
68. From Governor Claiborne to James Pitot. June 20.
69. From Gov. Claiborne to Col. Freeman. June 20.
70. From Gov. Claiborne to Col. Freeman. June 20.
71. From Gov. Claiborne to Col. Freeman. June 21.
72. From Constant Freeman to Gov. Claiborne. June 21.
73. From Gov. Claiborne to Col. Freeman. June 22.
74. From Gov. Claiborne to Col. Freeman. June 22.
75. From Gov. Claiborne to James Madison. June 26.
76. From Gov. Claiborne to Legislative Council (message). June 22.
77. From. Gov. Claiborne to Judge of Geoman Coast county. June 29.
78. From Gov. Claiborne to James Pitot. July 1.
79. From Gov. Claiborne to James Pitot. July 3.
80. From Gov. Claiborne to Legislative Council (speech). July 3.
81. From Daniel Carmicke to Gov. Claiborne. July 4.
82. From Gov. Claiborne to James Madison. July 5.
83. From Gov. Claiborne to James Madison. July 5.
84. From Gov. Claiborne to Thomas Jefferson. July 6.
85. From Gov. Claiborne to John Sibley. July 8.
86. From Gov. Claiborne to Mr. H. Amand. July 9.
87. From Gov. Claiborne to Manuel Andry. July 9.
88. From Gov. Claiborne to the Judge of Geoman Coast Co. July 9.
89. From Gov. Claiborne to the Marquis of Casa Calvo. July 11.
90. From Gov. Claiborne to James Madison. July 12.
91. From Patrick Walsh to Gov. Claiborne. July 11.
92. From Gov. Claiborne to Mr. Walsh. July 12.
93. From Gov. Claiborne to the Commandant of La Fourche. July 13.
94. From Governor Claiborne to Thomas Jefferson. July 14.
95. From Gov. Claiborne to Secretary of State. July 15.
96. From the Marquis of Casa Calvo to the Governor of the Territory of Orleans. July 15.
97. From the Marquis of Casa Calvo to Gov. Claiborne. July 16.
98. From Gov. Claiborne to Marquis Casa Calvo. July 16.
99. From Gov. Claiborne to James Madison. July 22.
100. From Gov. Claiborne to James Madison. July 22.

The remaining letters and documents of this valuable collection number one hundred and fifty-four.

Executive Journal in part of Gov. Wm. C. C. Claiborne.

March 7, 1806, to February 10, 1807.

1806.

1. To Secretary of War. March 17.
2. To Secretary of War. March 17.
3. To David C. Dean. March 17.
4. To Secretary of War. March 18.
5. To Secretary of War. March 18.
6. To President Jefferson. March 18.
7. To Secretary of State. March 18.
8. To Secretary of State. March 18.
9. To James Brown. March 18.
10. To President Jefferson. March 18.
11. To Mr. Venet. March 22.
12. Address to the Legislature of the Territory of Orleans. March 24.
13. To Secretary of State. March 25.
14. To House of Representatives. March 26.
15. To President Jefferson. March 26.
16. To the Marquis of Casa Calvo. March 29.
17. To Secretary of State. April 2.
18. To Secretary of State. April 3.
19. To President Jefferson. April 3.
20. To James Madison. April 8.
21. To James Madison. April 8.
22. To Secretary of War. April 8.
23. To Governor General Pre. April 8.
24. To President Jefferson. April 10.
25. To Secretary of Treasury. April 16.
26. To Secretary of State. April 16.
27. To Secretary of State. April 16.
28. Pardon. Feb. 7.
29. Pardon. Feb. 7.
30. To J. W. Gurley. April 28.
31. To Secretary of State. April 29.
32. Circular to notaries public. April 30.
33. To Secretary of War April 30.
34. Circular to notaries public. May 2.
35. To the Legislature. May 6.
36. To James Madison. May 8.
37. To James Madison. May 14.
38. To James Madison. May 16.
39. To President Jefferson. May 19.
40. To Secretary of Treasury. May 20.
41. To Pelet and Donalson. May 20.
42. To Lawrence Jrudeau. May 20.
43. To President Jefferson. May 21.
44. To James Madison. May 21.
45. To James Madison. May 22.
46. To James Madison. May 22.
47. To Daniel Clark. May 22.
48. Pardon. May 24.
49. To John Noel Destrehan. May 26.
50. To P. Lauve. May 26.
51. To Secretary of State. May 26.
52. Message to Legislature. May 26.
53. To Secretary of State. May 26.

54. Message to the Legislature. May 26.
55. To Julian Paidras. May 26.
56. To Cashier Louisiana Bank. May 26.
57. Message to the House. May 27.
58. Message to the House. May 27.
59. To Col. Freeman. May 28.
60. Circular to Notaries. May 28.
61. To Secretary of State. May 28.
62. To Col. Freeman. May 28.
63. To Secretary of War. May 31.
64. To R. Claiborne. May 31.
65. From R. Claiborne. May 31.
66. Cashier Louisiana Bank. June 7.
67. To Secretary of State. June 8.
68. To Col. Freeman. June 8.
69. Obligation to Louisiana Bank. June 9.
70. To President Jefferson. June 12.
71. To Julien Poidras. June 13.
72. To Sheriff of Acadia County. June 15.
73. Proclamation. June 15.
74. To Secretary of War. June 15.
75. To Secretary of State. June 15.
76. Pardon. June 16.
77. To President Jefferson. June 17.
78. Circular to Sheriffs. June 18.
79. To Sheriff of Point Coupee County. June 20.
80. To Sheriff of Opalousas County. June 20.
81. Proclamation. June 20.
82. To F. Duplessess. June 19.
83. To Sheriff of Adams County. June 21.
84. To Secretary of War. June 21.
85. To President Jefferson. June 21.
86. To Secretary Graham. June 22.
87. To President Jefferson. June 22.
88. To Isaac Comp. June 24.
89. To Mayor of New Orleans. June 24.
90. To Lady Abbess of Hurceline Convent. June 24.
91. To Secretary of State. June 25.
92. To Secretary of State. June 26.
93. To Secretary of War. April 4.
94. To Secretary of War. June 26.
95. To Secretary of Treasury. June 30.
96. To P. M. S. July 5.
97. To Secretary of War. July 5.
98. To Secretary of Treasury. July 5.
99. To Secretary of War. July 6.
100. Instructions to R. Claiborne, Sec. to Governor. July 7.

This journal contains one hundred and sixty-four additional letters and documents.

Executive Journal of Governor William C. C. Claiborne.

January 5 to December 31, 1811.

1. Governor Claiborne to Dr. William Flood. Jan. 5.
2. Governor Claiborne to Secretary of State. Jan. 5.

3. Report of Joseph Collins on conditions existing in Pascagoula, the Pass of Christian and country in their vicinity. Jan. 5.
4. Report of George Farragout relating to same. Jan. 5.
5. To Secretary of War of United States. Jan. 5.
6. To Secretary of State of United States. Jan. 6.
7. To Mr. Earle. Jan. 6.
8. To Genl. Wade Hampton. Jan. 6.
9. To Genl. Wade Hampton. Jan. 7.
10. To Governor Folch. Jan. 7.
11. To Genl. Wade Hampton. Jan. 9.
12. To Maj. St. Amand. Jan. 9.
13. To Genl. Wade Hampton. Jan. 9.
14. To Secretary of State, U. S. Jan. 7.
15. To Maj. Bullinglely. Jan. 9.
16. To Secretary of State, U. S. Jan. 9.
17. To Military officers and parish judges. Jan. 10.
18. To Secretary of State, U. S. Jan. 11.
19. To Secretary of State, U. S. Jan. 12.
20. To Col. Andre. Jan. 13.
21. To Audley L. Osborne. Jan. 14.
22. Proclamation. Jan. 14.
23. To Maj. St. Amand and Col. Andre. Jan. 14.
24. To Mr. Duborg. Jan. 14.
25. To Secretary of State, U. S. Jan. 14.
26. To John N. Detrehan. Jan. 16.
27. To Col. Vileral. Jan. 16.
28. To Mayor of New Orleans. Jan. 16.
29. To Seraion Faure. Jan. 16.
30. To Secretary of State, U. S. Jan. 17.
31. To Simeon Faure. Jan. 17.
32. To Judge St. Martin. Jan. 19.
33. To John Rhea. Jan. 19.
34. To Judge Mather. Jan. 19.
35. To Mr. Loneat Dufassat. Jan. 19.
36. To Genl. Wade Hampton. Jan. 19.
37. To John N. Detrehan. Jan. 19.
38. To Col. John Ballinger. Jan. 20.
39. To Major St. Amand. Jan. 20.
40. To Secretary of War. Jan. 20.
41. To Secretary of State. Jan. 20.
42. To Judge Moreau Lislet. Jan. 20.
43. To Dr. Steel. Jan. 20.
44. To Dr. Thomas Jefferson. Jan. 20.
45. To Maj. Dabseng. Jan. 21.
46. To Secretary of State. Jan. 22.
47. To Genl. Wade Hampton. Jan. 24.
48. To Genl. Wade Hampton. Jan. 24.
49. To Genl. Wade Hampton. Jan. 24.
50. To Bernard Genoie. Jan. 24.
51. To David Holmes. Jan. 25.
52. To Maj. McKea. Jan. 25.
53. To Secretary of State. Jan. 25.
54. Ordinance. Jan. 26.
55. Speech delivered by Governor Claiborne to both Houses of the Legislature of the Territory of Orleans. Jan. 29.
56. Answer of the Legislative Council to Governor Claiborne's speech. Jan. 31.
57. Answer of the House of Representatives to Governor Claiborne's speech. Jan. 31.

58. Dr. Flood's report. Jan. 25.
59. To Secretary of State. Jan. 30.
60. To Genl. Thomas. Jan. 30.
61. To William Herries. Jan. 30.
62. To Commodore Shaw. Jan. 31.
63. Message to the Assembly. Jan. 31.
64. To James Nelson. Jan. 31.
65. To Col. Fulton. Jan. 31.
66. To F. Skipwith and Dr. Steele. Jan. 31.
67. To Messrs. Rhea and Johnson. Jan. 31.
68. To Secretary of Treasury. Feb. 1.
69. To Secretary of Treasury. Feb. 1.
70. To Mr. Duralde. Feb. 5.
71. To Secretary of State. Feb. 3.
72. To Judge Osborne. Feb. 6.
73. To Albert Gallatin. Feb. 7.
74. To Secretary of State. Feb. 7.
75. To Secretary of War. Feb. 8.
76. To Genl. Wade Hampton. Feb. 8.
77. To Col. Pike. Feb. 8.
78. To Judge Rhea. Feb. 8.
79. To John H. Johnson. Feb. 8.
80. Message to the Assembly. Feb. 12.
81. To Joioh S. Johnson. Feb. 13.
82. To Secretary of War. Feb. 13.
83. To Genl. Wade Hampton. Feb. 14.
84. To Genl. Wade Hampton. Feb. 14.
85. To Secretary of State. Feb. 15.
86. To Sterling Dupree. Feb. 16.
87. Circular letter. Feb. 18.
88. To Secretary of State. Feb. 20.
89. To Governor Folch. Feb. 21.
90. To Secretary of State. Feb. 23.
91. To Commodore Shaw. Feb. 23.
92. To Secretary of State. Feb. 24.
93. Message to Assembly. Feb. 25.
94. To Secretary of State. Feb. 25.
95. To Captain General of Cuba. Feb. 27.
96. To Judge Mather. Feb. 27.
97. To Dr. Steele. Feb. 27.
98. To Captain General of Cuba. Mar. 3.
99. To William Shaler. Mar. 3.
100. To Vincent Gray. Mar. 3.

There are 293 other rare and valuable letters and documents in this collection.

Official Journal of Governor Wm. C. C. Claiborne.

From January 1, 1812, to June 21, 1813.

1812.

1. To Mr. Dawson. Jan. 1.
2. To Secretary of Treasury. Jan. 2.
3. To James Monroe. Jan. 3.
4. Proclamation. Jan. 3.
5. To Secretary of Treasury. Jan. 3.

6. To Allan B. Magruder. Jan. 5.
7. To J. B. Labatat. Jan. 5.
8. To Secretary of Treasury. Jan. 5.
9. To Commodore Shaw. Jan. 5.
10. To George Poindexter. Jan. 6.
11. To Secretary of State. Jan. 19.
12. To Genl. Wade Hampton. Jan. 20.
13. To Judge Carr. Jan. 20.
14. To Secretary of Navy. Jan. 23.
15. To Secretary of State. Jan. 24.
16. To Genl. Varnum. Jan. 26.
17. To Robt. R. Livingston. Jan. 26.
18. To Commodore Shaw. Jan. 27.
19. To William Conway. Jan. 28.
20. To Secretary of State. Jan. 31.
21. To Secretary of Treasury. Feb. 1.
22. To Secretary of Navy. Feb. 1.
23. To John Rhea. Feb. 1.
24. To John Rhea. Feb. 1.
25. To Thomas Butler. Feb. 1.
26. To Zebulon Pike. Feb. 2.
27. To Maj. McRea. Feb. 4.
28. To Benj. Morgan. Feb. 7.
29. To Mr. Macon. Feb. 7.
30. To a lady. Feb. 9.
31. To Judge Claiborne. Feb. 12.
32. To Secretary of State. Feb. 14.
33. To Commodore Shaw. Feb. 14.
34. To Judge King. Feb. 15.
35. To Judge Carr. Feb. 16.
36. To Secretary of Navy. Feb. 17.
37. To Lady Abbess of Ursuline Convent. Feb. 19.
38. To John P. Hampton. Feb. 24.
39. To John Rhea. Feb. 24.
40. To Secretary of State. Feb. 28.
41. To Lady Abbess of Ursuline Convent. March 24.
42. To Joel Barlow. March 24.
43. To Governor Maxent. March 25.
44. To Commander Ft. Stoddard. March 26.
45. To President Madison. March 1.
46. To George W. Morgan. March 31.
47. To Secretary of State. March 31.
48. To Judge Claiborne. April 4.
49. To Judge Claiborne. April 6.
50. To John Graham. March 31.
51. To Judge Merriam. April 6.
52. To Secretary of War. April 6.
53. To Josiah S. Johnson. April 6.
54. To William Shaler. April 7.
55. To Judges Claiborne and King. April 7.
56. To Judge Johnson. April 7.
57. To Placide Bossier. April 7.
58. To Moses Kirkland. April 7.
59. To Dr. Sibley, Judge Carr, Col. Shaumburg and Judge Claiborne. April 8.
60. To Josiah Baker. April 8.
61. To Abner L. Duncan. April 9.
62. Proclamation. April 7.

63. To Col. Moses Kirkland et al. April 12.
64. To Secretary of Treasury. April 13.
65. To Commodore Shaw. April 13.
66. To Judge Ludeling. April 13.
67. To John Graham. April 13.
68. To Secretary of State. April 13.
69. To George W. Morgan. April 13.
70. To George W. Morgan. April 14.
71. To John H. Johnson. April 20.
72. To T. A. Sumner et al. April 20.
73. To John Dorsey. April 21.
74. To Judge Ludeling. April 21.
75. To Walker Gilbert. April 21.
76. To Mr. Poydras. April 22.
77. To Judge Ludeling. April 22.
78. To John H. Johnson. April 22.
79. To William Pollard. April 27.
80. To Secretary of Treasury. May 3.
81. To Commodore Shaw. May 2.
82. To Secretary of State. May 2.
83. To Commodore Shaw. May 4.
84. To John H. Johnson. May 4.
85. To William S. Caillevit. May 6.
86. To Chas. Tesier. May 6.
87. To Judge Wykoff. May 6.
88. Circular to Members of Assembly.
89. To Abner L. Duncan. May 15.
90. To William L. Brent. May 14.
91. To Francis Rivas. May 16.
92. To Genl. Wade Hampton. May 10.
93. To Woodson Wrenn. May 20.
94. To Mayor of New Orleans. May 22.
95. To William Shaler. May 23.
96. To Thos. Cushing. May 24.
97. To Secretary of State. May 31.
98. To Judge Johnson. May 26.
99. Commander of Ft. St. Phillip. May 27.
100. To Lady Abbess of Ursuline Convent. May 29.

Two hundred letters and documents not catalogued here are in this collection.

Executive Journal of Governor William C. C. Claiborne.

Oct. 21, 1814, to July 22nd, 1816.

1. Governor Claiborne to Dr. Sibley. Oct. 21.
2. To Mr. Munroe, Secy. of State. Oct. 24.
3. To Major Genl. Jackson. Oct. 24.
4. To Secretary of State. Oct. 25.
5. To Secretary of State. Oct. 25.
6. To Col. McRae. Oct. 25.
7. To Col. Piatt. Oct. 26.
8. To Col. F. Collins. Oct. 26.
9. To Major Genl. Jackson. Oct. 28.
10. To Major Genl. Jackson. Oct. 28.
11. To Major General Jackson. Oct. 28.
12. To Col. Piatt. Oct. 28.
13. To Capt. Humphrey's. Oct. 30.

14. To Col. Piatt. Oct. 30.
15. To. Mr. Rush, Atty. Genl., U. S. Oct. 30.
16. Proclamation. Nov. 2.
17. To Major Pierse Facaste. Nov. 2.
18. To French Consul. Nov. 2.
19. To Major Genl. Jackson. Nov. 4.
20. To Col. McRae. Nov. 4.
21. To Major Genl. Andrew Jackson. Nov. 5.
22. From Genl. Jackson to Gov. Claiborne. Nov. 6.
23. To Genl. David B. Morgan. Nov. 17.
24. To Genl. Andrew Jackson. Nov. 17.
25. To Col. McRae. Nov. 18.
26. To Gov. Blount. Nov. 18.
27. To Genl. Andrew Jackson. Nov. 18.
28. To Major David Ruse. Nov. 19.
29. To Col. Hicks and Capt. Hopkins. Nov. 19.
30. To Capt. Patterson of the Navy. Nov. 22.
31. To David McGee. Dec. 9.
32. To Elizius Fromentin. Dec. 9.
33. To Secretary of State. Dec. 9.
34. To Genl. Thomas. Dec. 17.
35. Proclamation. Dec. 17.
36. To members of Congress. Dec. 20.
37. To Genl. Andrew Jackson. Dec. 20.
38. To Secretary of State. Dec. 20.
39. To Governor Blount. Dec. 30.

1815.

40. To Gov. Blount. Jan. 4.
41. To Secretary of State. Jan. 6.
42. To Secretary of War. Acct. of Battle of New Orleans. Jan. 9.
43. To James Madison, President U. S. Letter of Congratulations on the glorious issue of the Battles of New Orleans. Jan. 19.
44. To Genl. Andrew Jackson. Jan. 21.
45. To Genl. Andrew Jackson. Jan. 25.
46. To Genl. Andrew Jackson. Jan. 31.
47. To Attorney General. Feby. 11.
48. To Stephen Morcirean. Feby. 24.
49. Genl. Adair of Ky. Vols. Feby. 25.
50. To Genl. Carroll, of Ky. Feby. 26.
51. To Genl. Coffee, of Tennessee. Feby. 26.
52. To Col. Thomas Hinds of Mississippi Cavalry. Feby. 26.
53. To Col. Thomas, of Ky. Vols. Feby. 25.
54. To Secretary of State. Feby. 25.
55. To Col. Declonet. Feby. 25.
56. Circular. Feby. 25.
57. To Secretary of State. Mar. 1.
58. To Col. Toussard. Mar. 2.
59. To Secretary of State. Mar. 2.
60. To Chevalier de Toussard. Mar. 14.
61. Proclamation of Peace. Mar. 15.
62. To Secretary of War. Mar. 16.
63. To Genl. Lambert of English Army. Mar. 18.
64. Answer to foregoing by Genl. Power. Mar. 30.
65. To Genl. Andrew Jackson. Apr. 5.
66. To Commodore Daniel Patterson. Apr. 5.
67. To Jean Blarques. Apr. 6.
68. To Col. William Piatt. Apr. 10.

69. To Genl. Edmond P. Gains. Apr. 14.
70. To Mr Smith Com'r. of Revenue. May 11.
71. To Mr. Smith Col. of Revenue. July 26.
72. To Major Thomas Gales. Sept. 10.
73. To Governor of Tennessee. Sept. 15.
74. To Gov. of Kentucky. Sept. 15.
75. To Gov. Ohio, Sept. 15.
76. To Gov. Pennsylvania. Sept. 15.
77. To Gov. of Virginia. Sept. 22.
78. To Genl. Labatech. Sept. 22.
79. Answer to foregoing. Sept. 27.
80. To Col. Barthalomew Shamburg. Oct. 1.
81. Answer to foregoing. Oct. 30.
82. To Col. Michael Fortier. Nov. 10.
83. Answer to foregoing. Nov. 11.
84. To Commodore Daniel G. Patterson. Nov. 25.
85. To Major Winfrey Luckett. Oct. 25.
86. To Major Charles Tissier. Oct. 30.
87. Answer to foregoing. Oct. 30.
88. To Capt. Dan'l J. Patterson. Nov. 28.
89. To Genl. Philemon Thomas. Oct. 30.
90. Answer to foregoing. Nov. 30.
91. To Genl. David B. Morgan. Dec. 1.
92. To Lt. Col. Craghan. Dec. 20.
93. Speaker of House to Gov. Claiborne. Dec. 20.

1816.

94. To General Andrew Jackson. Apr. 1.
95. To John Jamison. May 18.
96. To Secretary of War. May 18.
97. To Commodore Daniel J. Patterson. May 18.
98. To Governor Pennsylvania. June 7.
99. To Secretary of War. July 13.
100. To Judge John Pickins. June 6.

The foregoing letters deal largely with the operations of the American army under command of General Andrew Jackson and that of the English under General Packenham.

Miscellaneous Collection of Gov. Claiborne's Administration.

1. To Gov. Claiborne from Samuel Mitchell. June 25, 1803.
2. An account of Samuel Mitchell for salary. July 31, 1802.
3. Territorial Treasurer's account. June 3, 1802.
4. To the President of Legislative Council from Seth Lewis. Jan. 25, 1802.
5. To Gov. Claiborne from Samuel Mitchell. Oct. 29, 1803.
6. An account of Robert Stark (clerk). May 10, 1802.
7. General orders from Charles B. Green. Dec. 6, 1803.
8. To Gov. Claiborne from Samuel Mitchell. Oct. 29, 1803.
9. To Col. Cato West, from Silas Dinsmore. Nov. 14, 1804.
10. To Gov. Claiborne from Joseph Chambers. Aug. 8, 1803.
11. To Gov. Claiborne from Samuel Mitchell. ———.
12. Resolution of the Legislative Council and House of Representatives. Jany. 7, 1802.

13. Certified copy of letter from Franco Caso Y. Luengo to Samuel Mitchell. Aug. 5, 1802.
14. Affidavit of Robert Montgomery. Dec 14, 1805.
15. License of John Callender to trade with Indians. June, 1803.
16. To Gov. Claiborne from Samuel Mitchell. Aug. 6, 1803.
17. To Gov. Claiborne from Samuel Mitchell. May 28, 1803.
18. To Gov. Claiborne from Samuel Mitchell. May 28, 1803.
19. Account of Samuel Mitchell with United States. Sept. 30, 1803.
20. To Gov. Claiborne from the Legislature. Dec. 13, 1802.
21. To Gov. Claiborne from Samuel Mitchell. June 24, 1803.
22. To Gov. Claiborne from Quan Ventura. Oct. 23, 1802.
23. To Gov. Claiborne from Samuel Mitchell. July 30, 1802.
24. To the Speaker of the House of Representatives from William Lattimore. Mch. 11, 1803.
25. To Gov. Claiborne, from Silas Dinsmore. June 16, 1803.
26. Endorsement of appointment of Thomas Love, executor of estate of John McIntoch by Samuel Mitchell. Oct. 13, 1803.

The Claiborne collection is very valuable. Many of the great political questions now in public view are the subjects of discussion in the letters and documents contained therein. The purchase of Cuba and Louisiana, the control of the Mississippi river by the United States, the expedition of Aaron Burr, American relations with England, Spain and France are the subjects of careful study and comment. This collection doubtless became a part of the archives of Mississippi through Col. J. F. H. Claiborne, the Mississippi historian.

Official Letters to Governor Robert Williams.

1. To Gov. Williams from Jacob Fleeharty. June 19, 1805.
2. To Gov. Williams from Wm. Neeley. Nov. 9, 1805.
3. To Gov. Williams from C. Swan. April 24, 1807.
4. Certified copy of letter to Lieut. Richard Buck from C. Swan. Nov. 10, 1806.
5. Commission of Claiborne Troop to Gov. Williams from Major W. H. Wooldridge. Nov. 8, 1805.
6. To Gov. Williams from Peter A. Vandorn. Aug. 16, 1805.
7. To Gov. Williams from J. Johnson (translated copy). May 17, 1807.
8. To Gov. Williams, Bond of Samuel Terrell. June 13, 1807.
9. To Gov. Williams, testimonial of character of William Jones. June 12, 1807.
10. To Gov. Williams from Thomas Fitzpatrick. June 30, 1807.
11. To Gov. Williams from C. A. Rodney. April 4, 1807.
12. To Gov. Williams from David Berry (receipts). April 4, 1807.
13. To Gov. Williams from W. H. Wooldridge. June 26, 1807.
14. To Gov. Williams from H. Dearborne. April 23, 1807.
15. To Gov. Williams from Sam Brooks and Ferd L. Claiborne (J. P.) April 1, 1807.
16. To Gov. Williams from James Jones. April 1, 1807.
17. To Gov. Williams from J. Johnson. May 27, 1807.
18. To Gov. Williams from Benjamin Fooy. June 13, 1807.
19. To Gov. Williams from Figures Lewis. May 11, 1807.

20. To Gov. Williams from J. J. Jones. April 16, 1807.
21. To Gov. Williams from James Madison. April 23, 1807.
22. List of officers of 1st and 2nd Battalions of 2nd Regiment. June 30, 1807.
23. To Gov. Williams from D. W. Brazeale. Feb. 23, 1807.
24. To Gov. Williams from G. W. Humphries. May 20, 1807.
25. To Gov. Williams from Thomas Rodney. May 25, 1807.
26. To Gov. Williams from Daniel Burnet and J. Moore. April 6, 1807.
27. To Gov. Williams, recommendation of P. Hoggatt, J. P. Apr. 16, 1807.
28. To Gov. Williams from Alex Armstrong. March 28, 1807.
29. To Gov. Williams from Silas Dinsmore. May 14, 1807.
30. To Gov. Williams from Cowles Mead. May 2, 1807.
31. To Gov. Williams, claim for damages of Wm. Smith. June 5, 1807.
32. To Gov. Williams from Jos. Johnson. May 27, 1807.
33. To Gov. Williams recommending Wm. Nichols. April 14, 1807.
34. To Gov. Williams from David Lea. April 29, 1807.
35. To Gov. Williams from W. Buford. May 26, 1807.
36. To Gov. Williams, petition from Abraham Horton. May 26, 1807.
37. To Gov. Williams, papers of charges of D. W. Brazeale against H. D. Downes. May 27, 1807.
38. To Gov. Williams, account against the United States for equipment of detachment of Mississippi Militia. ———.
39. Fragment of letter. June 7, 1807.
40. Account with Gov. Williams of Andrew Marschalk. Apr. 27, 1807.
41. License of John Preston Hampton to practice law by the State of South Carolina. Apr. 22, 1807.
42. To Gov. Williams from Andrew Marschalk. June 11, 1807.
43. To the sheriff. Report of Philip Hoggott for taxes. Apr. 4, 1808.
44. To the sheriff. Report of Philip Hoggott for taxes. Apr. 28, 1808.
45. To the sheriff. Report of Philip Hoggott for taxes. Apr. 28, 1808.
46. 38 warrants for non-payments of taxes. March 17, 1808.
47. Affidavit of William Lawrence. March 14, 1805.
48. License to practice law of John J. Bell by Judge Bruin. Dec. 2, 1805.
49. To Gov. Williams from Henry D. Downs. Sept. 4, 1805.
50. To Gov. Williams. Account of Pierson Lewis for furnishing Indians. Feb'y 18, 1807.
51. To Gov. Williams. Account of Andrew Marschalk, with the United States. Sept. 30, 1805.
52. To Gov. Williams. Account of Nicholas Perkins, for salary. Dec. 8, 1804.
53. To Gov. Williams from Maj. Joseph Johnson. Sept. 17, 1805.
54. To Gov. Williams. List of commissions to officers of 2nd Regiment, with rank and date, from Col. Thomas Fitzpatrick. Nov. 1, 1805.
55. Account of John Collins for making road. Oct. 21, 1805.
56. Account of Hugh Davis for making road. Oct. 21, 1805.
57. Return of taxes of law precepts and surety from Washington county, Jan'y 24 to May 1, 1808.
58. Answer of Legislature to message of Governor. Dec. 4, 1806.
59. William Murray's application for a license by Thomas Rodney. Aug. 27, 1805.
60. Account for copying the laws of General Assembly. March 3, 1809.
61. Charges against E. Hunter, sheriff. Aug. 6, 1805.
62. Cost Bill of Chew and Relf vs. Jonathan Davis. May 22, 1805.
63. Statement of application to Col. West from Parker Walton. May 16, 1805.
64. Report of Andrew Marschalk to Gov. Williams. Apr. 20, 1807.
65. License to practice law of Francis Vacher by Judges Bruin and Thomas Rodney. Oct. 30, 1805.

66. Account of Montfort Calvit with Miss. Territory. Aug. 10, 1810.
67. From Gov. Williams to Samuel Brooks. Jan. 5, 1806.
68. License to practice law of Charles Baldwin by Thomas Rodney. Nov. 25, 1805.
69. Resolution of the Legislature of Massachusetts. Feb'y 15, 1805.
70. To Gov. Williams from Speaker of the House of Representatives. July 20, 1805.
71. Depositions relating to the Kempers. Sept. 14, 1805.
72. Gov's. Message to General Assembly. March 3, 1809.
73. Military order of Charles B. Green. Dec. 7, 1808.
74. To Gov. Williams from Silas Dinsmore. Dec. 7, 1805.
75. Account of Gov. Williams for copying laws of General Assembly. March 3, 1809.
76. Order of the Governor. Feb. 17, 1809.
77. Military order Charles B. Green. Feb. 15, 1809.
78. Communication from the Gov. to James Madison. Dec. 14, 1808.
79. Communication from Governor to the Legislature. Dec. 19, 1808.
80. Communication from Gov. to the Legislature. Feb. 25, 1809.
81. Recommendation of Wm. H. Wooldridge, as Colonel. ——.
82. Commission of John Coulter, Esquire. Nov. 2, 1807.
83. Commission of Legislative Council. Nov. 14, 1808.

Official Letters and Documents of Cowles Meade, Acting Governor of Mississippi Territory.

1806-1807.

1. From Genl. James Wilkinson. Nov. 12, 1806.
2. From William Jones. Oct. 20, 1806.
3. Resignation of Elijah Terrell. May 25, 1807.
4. From Genl. James Wilkinson. Nov. 13, 1806.
5. Message to Legislative Council and House of Representatives. 1807.
6. Letter from Gov. Meade to Capt. Davidson of the Jefferson Troop of Horse giving orders for capture of Aaron Burr. Jan. 19, 1807.

Executive Journal of Governor David Holmes from 1810 to 1814.

1. From Gov. David Holmes to Thomas Malone. July 3, 1810.
2. From Gov. David Holmes to Wm. Eustis. July 9, 1810.
3. From Gov. David Holmes to Robert Sway. July 11, 1810.
4. From Gov. David Holmes to Henry Green. July 13, 1810.
5. From Gov. David Holmes to Capt. Semple. July 17, 1810.
6. From Gov. David Holmes to Major John Hawes. July 17, 1810.
7. From Gov. David Holmes to Silas Dinsmore. July 17, 1810.
8. From Gov. David Holmes to Robert Smith, Esq. July 18, 1810.
9. By Governor David Holmes, Proclamation. July 23, 1810.
10. From Gov. David Holmes to Hon. Judge Toulmin. July 30, 1810.
11. From Gov David Holmes to Col. James Caller. July 31, 1810.
12. From Gov. David Holmes to sheriff of Jefferson Co. August 2, 1810.
13. From Gov. David Holmes to Hon. Obidiah Jones. August 4, 1810.
14. Commission of William Dickson. August 4, 1810.
15. From Gov. Holmes to Louis Winston. August 4, 1810.
16. From Gov. Holmes to J. Neelly, Esq., U. S. Agent. August 5, 1810.
17. From Gov. Holmes to Judge Toulmin. August 9, 1810.
18. From Gov. Holmes to sheriff of Wilkinson county. Aug. 11, 1810.
19. From Governor Holmes, Pardon. Aug. 24, 1810.
20. From Gov. Holmes, General Military Orders. Aug. 24, 1810.

21. From Gov. Holmes, General Military Orders. Aug. 27, 1810.
22. From Gov. Holmes to Major David Neilson. Aug. 27, 1810.
23. From Gov. Holmes to Hugh Davis. Aug. 23, 1810.
24. From Gov. Holmes to Col. Perkins, 7th Regiment. Aug. 29, 1810.
25. From Gov. Holmes to Col. James Caller, 6th Regiment. Aug. 28, 1810.
26. From Gov. Holmes to Major John Hawes. Aug. 28, 1810.
27. From Gov. Holmes to Col. Carson, 8th Regiment. Aug 28, 1810.
28. From Gov. Holmes to Col. Patton, 9th Regiment. Aug. 28, 1810.
29. From Gov. Holmes to Joseph Bowman, Esq. Aug. 30, 1810.
30. From Gov. Holmes to Col. Wood, 3rd Regiment. Aug. 30, 1810.
31. From Gov. Holmes to Col. Wooldridge, 5th Regiment. Sept. 2, 1810.
32. From Gov Holmes to sheriff of Washington county. Sept. 3, 1810.
33. From Gov. Holmes to Benjamin S. Smoot, sheriff of Washington county. Sept. 4, 1810.
34. From Gov. Holmes to Gov. Folch. Sept. 4, 1810.
35 From Gov. Holmes to Major John Hawes. Sept. 4, 1810.
36. From Gov. David Holmes to Hugh Carmell, Esq. Sept. 4, 1810.
37. From Gov. David Holmes to Cols. Caller, Carson and Patton. Sept. 8, 1810.
38. From Gov. David Holmes to Hon. Harry Toulmin. Sept. 9, 1810.
39. From Governor David Holmes, General Orders. Sept. 10, 1810.
40. From Gov. David Holmes to Silas Dinsmore. Sept. 11, 1810.
41. From Col. David Holmes to Col. Benjamin Hicks. Sept. 11, 1810.
42. From Gov. David Holmes to Col. Jones, 11th Regiment. Sept. 13, 1810.
43. From Gov. David Holmes to Col. Fitzpatrick. Sept. 15, 1810.
44. From Gov. David Holmes to Hon. Harry Toulman. Sept. 16, 1810.
45. From Gov. David Holmes to Major John Hawes. Sept. 16, 1810.
46. From Gov. David Holmes to Cols. Caller, Carson and Patton. Sept. 16, 1810.
47. General Orders. Sept. 18, 1810.
48. Commission of John Wall. Sept. 21, 1810.
49. General Orders. Sept. 22, 1810.
50. From Gov. Holmes to Hon. Harry Toulmin. Sept. 25, 1810.
51. From Gov. Holmes to Edward P. Gaines. Sept. 25, 1810.
52. From Gov. Holmes to Col. Thomas Cushing. Sept. 26, 1810.
53. From Gov. Holmes to Col. Davis, 2nd Regiment. Sept. 27, 1810.
54. From Gov. Holmes to Col. Thomas Cushing. Sept. 28, 1810.
55. From Gov. Holmes to Thomas Dawson, Esq. Sept. 29, 1810.
56. From Gov. Holmes to Moses Hooke, Esq. Sept. 29, 1810.
57. From Gov. Holmes to Major Nelson, 5th Regiment. Sept. 29, 1810.
58. From Gov. Holmes to Thomas B. Robinson. Sept. 29, 1810.
59. General Orders. Oct. 1, 1810.
60. From Gov. Holmes to Frances Surget. Oct. 2, 1810.
61. From Gov. Holmes to Lt. Col. Thomas Fitzpatrick. Oct. 2, 1810.
62. General Orders. Oct. 4, 1810.
63. General Orders. Oct. 4, 1810.
64. From Gov. Holmes to Moses Hook, Esq. Oct. 4, 1810.
65. From Gov. Holmes to Edward Randolph, Esq. Oct. 17, 1810.
66. From Gov. Holmes to John Rhea. Oct. 17, 1810.
67. Pardon. Oct. 20, 1810.
68. From Gov. Holmes to Col. Berry Hicks. Oct. 27, 1810.
69. From Gov. Holmes to Col. Wooldridge, 5th Regiment. Oct. 27, 1810.
70. From Gov. Holmes to Hon. Robert Smith. Nov. 1, 1810.
71. From Gov. Holmes to Albert Gallatin. Nov. 10, 1810.
72. Message to the Legislature. Nov. 9, 1810.
73. From the Governor to Gabriel Moore, Esq. Nov. 14, 1810.

74. From the Governor to Hon. Robert Smith. Nov. 14, 1810.
75. From the Governor to Gabriel Duvall, Esq. Nov. 14, 1810.
76. Pardon. Nov. 20, 1810.
77. Pardon. Nov. 20, 1810.
78. Respite. Nov. 20, 1810.
79. From the Gov. to Hon. Harry Toulmin. Nov. 20, 1810.
80. To the Legislative Council. Nov. 21, 1810.
81. To the House of Representatives. Nov. 21, 1810.
82. Order. Nov. 26, 1810.
83. Commission. Nov. 28, 1810.
84. To the Legislative Council and House of Representatives. Dec. 1, 1810.
85. From the Governor to Col. Wood, 3rd Regiment. Dec. 3, 1810.
86. From the Gov. to the House of Representatives. Dec. 3, 1810.
87. From the Governor to Governor Claiborne. Dec. 4, 1810.
88. From the Governor to the Commanding Officer at Fort Stoddard. Dec. 8, 1810.
89. From the Governor to Col. Caller. Dec 4, 1810.
90. From the Governor to Col. Carson. Dec. 4, 1810.
91. From the Governor to Gov. Claiborne. Dec. 21, 1810.
92. From the Governor to Paul Martel. Dec. 21, 1810.
93. From the Governor to Judge Toulmin. Dec. 26, 1810.
94.
95. Transmission of Journal to Department of State. Jan. 1, 1811.
96. From Gov. Holmes to Hon. Robert Smith. Jan. 1, 1811.
97. Remittance of fine. Jan. 1, 1811.
98. Pardon. Jan. 4, 1811.
99. From the Governor to Col. Hugh Davis. Jan. 5, 1811.
100. From the Governor to Hon. Harry Toulmin. Jan. 7, 1811.

There are 562 letters and documents in this collection not catlogued.

Letters to Governor David Holmes and Other Official Documents of His Administration.

1. Recommendation of John H. Carr as Clerk. January 28, 1811.
2. To Governor Holmes from Daniel Burnet. March 3, 1815.
3. To Governor Holmes from J. Moore. Sept. 24, 1813.
4. To Governor Holmes from Lt. Col. Perkins. Sept. 19, 1813.
5. To Governor Holmes from Col. Caller. Feb'y 4, 1811.
6. To Governor Holmes from Joseph Carson. August 24, 1812.
7. Walker Crow affidavit for passport for John, a free negro. Apr. 30, 1813.
8. Communication from the Legislative Council. Nov. 13, 1810.
9. To Governor Holmes from Col. Woolridge. Oct. 18, 1810.
10. Major Sessions enclosing report of Major Wilson. Oct. 5, 1810.
11. To the Sec'y of M. Territory from John Brewer. Oct. 2, 1810.
12. To the Legislature from Governor Holmes. January 26, 1810.
13. Recommendation of Caleb Hill. April 30, 1810.
14. To Gov. Holmes from Samuel H. Harper and James Lea. Aug. 26, 1810.
15. Petition of S. Surget. January 1, 1811.
16. Resignation of Andrew Marschalk as Justice of Peace. Nov. 6, 1815.
17. Bond of Lewis Small. March 3, 1815.
18. To Governor Holmes from John Ker. Sept. 8, 1812.
19. Statement of Election held in St. Stephens. March 6, 1817.

20. Letter to Gov. Holmes from Jas. Young McNabb. Jan'y 21, 1811.
21. Communication from the Governor to the Legislature. Oct. 7, 1817.
22. Recommendation of A. Campbell. April, 1815.
23. To Gov. Holmes from D. P. January. May 21, 1810.
24. Complaint against Montfort Calvit. July 26, 1810.
25. Petition from Monroe County. January 19, 1817.
26. Recommendation of Y. McNabb. July 10, 1813.
27. Roster Mississippi Militia. July 17, 1812.
28. To Gov. Holmes from James Bradberry. July 9, 1813.
29. Resignation of John Calcoat. April 7, 1815.
30. To Gov. Holmes from John Richards. July 17, 1810.
31. To Gov. Holmes from Robert Witherspoon. March 29, 1815.
32. Recommendation of Vinis L. Collier. ———.
33. To Gov. Holmes from Edward Daniel. July 10, 1813.
34. To Gov. Holmes from N. Duke Williams. July 18, 1810.
35. Petition for Pardon of Geo. H. Harmand. ———.
36. Certificate in favor of John Hughes. May 22, 1811.
37. Judge Leake's recommendation of John Stafford. May 22, 1811.
38. To Gov. Holmes from John Bond. ———.
39. To Gov. Holmes from Moses Savelle. Oct. 15, 1810.
40. To Gov. Holmes from Silas Dinsmore. May 25, 1811.
41. To Gov. Holmes from Samuel Stockett. July 19, 1813.
42. To Gov. Holmes from the Judge Advocate. March 26, 1812.
43. To Gov. Holmes from Silas Dinsmore. May 25, 1811.
44. Letters pertaining to the Wilkinson Co. affray. Oct. 21, 1808.
45. License to practice law of John Moseley, issued by the Judge of Virginia. April 23, 1817.
46. Recommendation of Matthew D. Wilson. ———, 1817.
47. Letter from Capt. Cheek enclosing certificates. ———, 1817.
48. To Gov. Holmes from R. H. Gilmer. May 28, 1817.
49. Recommendation of Thomas Lynch. June —, 1817.
50. Recommendation of James Calvit. May 27, 1817.
51. Statement of Josiah Simpson. May 27, 1817.
52. To Gov. Holmes from I. Thompson. May 29, 1817.
53. To Gov. Holmes from D. Vertres. May 14, 1817.
54. To Gov. Holmes from Jas. Phillips (application). May 14, 1817.
55. Recommendation from John Bond of certain persons. May 14, 1817.
56. To Gov. Holmes from Willey Jackson. May 26, 1817.
57. Recommendation from Major Dunn. May 25, 1817.
58. To Gov. Holmes from D. Morris. May 10, 1817.
59. To Gov. Holmes from Josiah Simpson. May 12, 1817.
60. To Gov. Holmes from John A. Allen. May 8, 1817.
61. To Gov. Holmes from James Moore. May 9, 1817.
62. To Gov. Holmes from Charles McCanty. May 6, 1817.
63. To Gov. Holmes from Barthol Shambaugh. May 7, 1817.
64. Recommendation of Hodges and Weaver. May 6, 1817.
65. Recommendation of Wm. B. Patton for license to practice law, by Wm. Crawford and A. S. Lipscombe. April 8, 1817.
66. Application for pardon. May 15, 1817.
67. Recommendation of John A. Penieres. August 7, 1817.
68. To Gov. Holmes from John Travis. April 10, 1817.
69. To Gov. Holmes from Wm. Crawford. April 9, 1817.
70. To Gov. Holmes from Theoph L. Toulmin. April 9, 1817.
71. Recommendation of Samuel Perkins. April 9, 1817.
72. Letter from J. Joor in regard to Hiram Singleton and William Boyd. Aug. 5, 1817.
73. Recommendation for Justices of the Peace of P. Bond and John Alison. April 17, 1817.

74. Recommendation of Wm. B. Patton to practice law. April 8, 1817.
75. Letter pertaining to military matters from Thomas Eldridge. April 7, 1817.
76. To N. A. Ware from M. W. Kimball. April 4, 1816.
77. Recommendation of Wm. B. Patton to practice law. April 8, 1817.
78. To Gov. Holmes from Gabriell Techenor. April 2, 1817.
79. To Gov. Holmes from Richard Lee. April —, 1817.
80. To Gov. Holmes from Robert S. Harrison. July 31, 1817.
81. To Gov. Holmes from Reuben Hill. July 20, 1817.
82. To Gov. Holmes from Thomas B. Tunstall. July 20, 1817.
83. Petition of Israel Vanduzen. July 30, 1817.
84. Recommendation of James Phillips. May 12, 1817.
85. Schedule of property of John Montgomery and others destroyed by Choctaw Indians. Aug. 1, 1817.
86. Recommendation of Wm. B. Patton to practice law. April 8, 1817.
87. Endorsement of H. Singleton and Wm. Boyd. Aug. 5, 1817.
88. Recommendation of Thomas Murry to practice law. Sept. 21, 1817.
89. Certificate of Reuben Saffold regarding R. Hill. July 21, 1817.
90. To Gov. Holmes from Wm. Simms. July 17, 1817.
91. Recommendation of Beverly Hughes to practice law. July 9, 1817.
92. To Gov. Holmes from Josiah Kinner. June 29, 1817.
93. Petition of Jacob Anderson. July 1, 1817.
94. Recommendation of Green B. Taylor from John Adams. July 8, 1817.
95. To Gov. Holmes from Josiah Simpson. June 26, 1817.
96. Recommendation of John Ragan and Arthur Fox. June 10, 1817.
97. Recommendation of Charles Pettibone to practice law. June 25, 1817.
98. Petition of Jacob Anderson and Louis McCarey. June 11, 1817.
99. To Gov. Holmes from Hugh McVay. June 18, 1817.
100. Petition for pardon from Josiah Simpson. June 10, 1817.
101. Petition of Richard Vanduzen. June 11, 1817.
102. To Gov. Holmes from Wm. Lattimore. June 7, 1817.
103. To Gov. Holmes from Josiah Simpson. June 7, 1817.
104. To Gov. Holmes from Treasury Department. June 9, 1817.
105. Recommendation of Maj. Richard Ellis to practice law. ———.
106. Recommendation of Lewis Perkins from Richard Gilmer. June 5, 1817.
107. Oath of Stevenson Archer to support the United States. June 6, 1817.
108. Recommendation of H. B. Hays to practice law. June 7, 1817.
109. To Gov. Holmes from Daniel Darling. June 2, 1817.
110. Petition to the Secretary of War from the citizens of Madison county. Apr. 22, 1817.
111. Complaint of citizens of Wilkinson county against Abraham Hammett. June 3, 1817.
112. Militia report to the Governor. ———.
113. List of drafted men from Amite Co., Miss. Militia. Dec. 24, 1817.
114. Muster roll of mounted infantry of Miss. Militia. Dec., 1814, to Feb., 1815.
115. Election returns of members of Legislature. Nov., 1815.
116. Election returns of members of Legislature. Nov., 1815.
117. Election returns of members of Legislature. Nov., 1815.
118. Election returns of members of Legislature. Nov., 1814.
119. Election returns of members of Legislature. Nov., 1811.
120. Election returns of Franklin county. June, 1811.
121. Official letter from Wm. R. Richards, Lieut. Col. August, 1810.
122. Official letter from Col. Jas. Caller, 6th Regiment. May 25, 1810.
123. Recommendation of Philip Barbour Harrison for sheriff of Jefferson county. ———.
124. Communication from John Brewer. May 10, 1810.

125. To Gov. Holmes from Obidiah Jones. May 15, 1815.
126. Recommendation of Wm. Morgan and James Powell as Justices of the Peace. Jan'y 22, 1811.
127. To Gov. Holmes from Samuel Robinson. Jan'y 15, 1811.
128. To Gov. Holmes from H. W. Stevens. March 17, 1817.
129. Recommendation of Thos. Hinds and Everard Green. ———.
130. Recommendation of John Cameron. March 15, 1817.
131. Oath of office of William Hunter. March 15, 1817.

There are 566 other valuable letters and documents in this collection.

The archives of the administration of Governor Holmes seem to be very full and complete and cover a most important period in the history of the Territory and State.

Official Letters and Documents of Henry Dangerfield, Acting Governor of Mississippi Territory.

1. Report of court martial by Andrew Marschalk, Judge Advocate. Dec. 23, 1809.
2. From Joseph Carson. Feb. 19, 1812.
3. From Thomas G. Percy.
4. From John G. Jones. Dec. 7, 1811.
5. From Silas Dinsmore. May 4, 1811.
6. Commission of Joseph Winn, sheriff of Franklin Co. Mar. 24, 1812.
7. From Hugh Davis. April 14, 1812.
8. From White Turpin. Dec. 13, 1811.
9. From Ephraim Anderson. July 7, 1815.

Official Letters and Documents of N. A. Ware, Acting Governor of Mississippi Territory.

1815-1816.

1. From Andrew Marschalk. March 1, 1816.
2. From R. H. Gilmers. Oct. 16, 1816.
3. Message to Council and House. Nov. 15, 1815.
4. From A. Campbell. March 4, 1816.
5. From G. Glassburn. April 19, 1816.
6. Oaths administered to members of Council and House. Nov. 6, 1815.

Territorial Legislative Archives.

The legislative archives of the Mississippi Territory begin with the laws enacted by the Governor and judges.

A detailed description of those laws has been made.

The following additional original manuscript laws of the Territory have been discovered and classified, viz:

1. Laws of Mississippi Territory 1802. 20 titles.
2. Laws of Mississippi Territory 1803. 25 titles.
3. Laws of Mississippi Territory 1808. 20 titles.

4. Laws of Mississippi Territory 1809. 25 titles.
5. Laws of Mississippi Territory 1814. 30 titles.
6. Laws of Mississippi Territory 1815. 30 titles.
7. Laws of Mississippi Territory 1817. 25 titles.

Legislative Journals.

The following original manuscript journals are on file in the Department:

1. House Journal 1803. 150 pages.
2. House Journal 1804. 150 pages.
3. House Journal 1813. 300 pages.
4. House Journal 1814. 200 pages.
5. House Journal 1815. 200 pages.
6. Council Journal 1807. 84 pages.
7. Council Journal 1815. 150 pages.
8. Council Journal 1816. 150 pages.

State Legislative Archives.

The legislative archives of the State of Mississippi begin with the House and Senate Journals of 1817.

The first session of the Legislature began Oct. 6th, 1817, and ended Feb. 6, 1818, it was held in the town of Washington.

The manuscript journals named below are on file in the Department:

1. House Journal 1817. 300 pp.
2. House Journal 1819. 400 pp.
3. Senate Journal 1819. 400 pp.
4. Senate Journal 1820. 400 pp.
5. House Journal 1821. 300 pp.
6. House Journal 1822. 300 pp.
7. Senate Journal 1822. 300 pp.
8. House Journal 1823. 400 pp.
9. Senate Journal 1823. 400 pp.
10. House Journal 1826. 500 pp.
11. House Journal 1829. 300 pp.
12. Senate Journal 1829. 300 pp.
13. Senate Journal 1830. 600 pp.
14. Senate Journal 1870. 600 pp.
15. House Journal 1870. 600 pp.

Acts of the Legislature.

1. Laws of the State of Mississippi 1821. 50 titles.
2. Laws of the State of Mississippi 1822. 50 titles.
3. Laws of the State of Mississippi 1824. 40 titles.
4. Laws of the State of Mississippi 1824. 40 titles.
4. Laws of the State of Mississippi 1825. 25 titles.
5. Laws of the States of Mississippi 1826. 30 titles.
6. Laws of the State of Mississippi 1828. 50 titles.
7. Laws of the State of Mississippi 1829. 60 titles.
8. Laws of the State of Mississippi 1830. 25 titles.

9. Laws of the State of Mississippi 1831. 30 titles.
10. Laws of the State of Mississippi 1833. 30 titles.
11. Laws of the State of Mississippi 1837. 40 titles.
12. Laws of the State of Mississippi 1838. 50 titles.
13. Laws of the State of Mississippi 1839. 50 titles.
14. Laws of the State of Mississippi 1840. 50 titles.
15. Laws of the State of Mississippi 1841. 50 titles.
16. Laws of the State of Mississippi 1852. 50 titles.

State Archives.

Official letters, in part, to Governor David Holmes, and other documents:

1. Message to the Legislature from Gov. Holmes. Jan. 24, 1820.
2. To Gov. Holmes from Hyram Terrell relative to John Travis. Oct. 17.
3. Schedule of monies paid out of the Treasury. Jan. 26, 1819.
4. Account of Marschalk and Evans. Jan., 1819.
5. Account of Marschalk and Evans. Jan., 1818.
6. Schedule of monies paid out of Treasury. Jan., 1818.
7. Recommendattion of Edward Gamble and Benj. Scott. Nov., 1819.
8. Recommendation of Justices and Constables for Wilkinson Co. 1818.
9. Recommendation of Ranger for Claiborne Co.,Nov., 1819.
10. Return of Justices and Constables for Jackson Co. Aug. 5, 1818.
11. Returns of Justices and Constables for Green Co. July 6, 1818.
12. Recommendation of official for Claiborne Co. Feb. 18, 1818.
13. Recommendation of Peter Quin, Jr. June 23, 1818.
14. Recommendation of Wm. T. Walker. Dec. 2, 1819.
15. Recommendation of Abb. L. Hattin, J. P. Sept. 13, 1819.
16. Recommendation of county officers of Warren Co. March 4, 1819.
17. Recommendation of county officers of Pike Co. Oct. 7, 1819.
18. Auditor's account with Treasurer. Feb., 1819
19. Recommendation of officials for Amite Co. June 7, 1819.
20. To Gov. Holmes from J. E. Davis. Oct. 22, 1819.
21. To Gov. Holmes from State Treasurer. June 24, 1818.
22. To Gov. Holmes from Noel Jourdan. April 29, 1819.
23. To Gov. Holmes from Samuel Turner Secy. U. S. Oct. 5, 1818.
24. Recommendation of officials for Warren Co. Feby. 20, 1819.
25. To Gov. Holmes from Parth. Shaumburg. April 22, 1818.
26. To Gov. Holmes from C. Nichola. April 16, 1819.
27. To Gov. Holmes from Wm. Lattimore. May 8, 1819.
28. Petition for pardon of Eugene Magee and John F. Bonie. Oct. 28, 1818.
29. To Gov. Holmes from the Legislature. Jan. 22, 1818.
30. Resignation of Richardson Bowman. May 8, 1819.
31. To Gov. Holmes from Peter Quin, Jr. Aug. 8, 1818.
32. Resignation of Daniel Burnet. June 23, 1818.
33. To Gov. Holmes from S. Duke. July 23, 1819.
34. Recommendation of Alexander Bailie, clerk. Jan. 26, 1818.
35. To Gov. Holmes from I. Forsythe. June 21, 1819.
36. Recommendation of Isaac Baker. Feby. 9, 1818.
37. Election of State Officials. Jan. 28. 1819.
38. Resignation of I. Williams. Aug. 29, 1818.
39. To Gov. Holmes from Peter Bisland. March 23, 1819.
40. To Gov. Holmes from C. Nicoliola. Jan. 7, 1819.
41. Recommendation of John M. Wilson J. P. April 5, 1819.
42. Petition for pardon of Terry Trapp. Sept. 10, 1818.
43. To Gov. Holmes from John McKee. Jan. 16, 1819.

44. Certificate relative to Coleman Strange. May 20, 1818.
45. Resolution of Assembly of New York transmitted to Gov. Holmes. 1819.
46. Statement from James P. Phillips. May 12, 1818.
47. Copy of Orders and Printer's affidavits. Jan. 8, 1821.
48. To Gov. Holmes from P. Briscol, Brig. Genl. July 25, 1818.
49. Report of Auditor ending Jan. 26, 1819.
50. Schedule A. of monies paid out of Treasury. Feb. 4, 1819.
51. Transcript State vs. John W. James. May 25, 1822.
52. Relative to Commission of Wm. D. Hathorn. April 7, 1818.
53. Resignation W. Willis. Nov. 5, 1818.
54. To Gov. Holmes from Joseph H. Cartwright. April 7, 1818.
55. Returns of officials of Pike Co. April 13, 1818.
56. Returns of civil officials of Pike Co. May 8, 1818.
57. To Gov. Holmes from Noel Jourdan. May 26, 1818.
58. Recommendation of civil officers of Franklin Co. March 26, 1818.
59. Recommendation of Peter Crayor. Oct. 14, 1819.
60. Recommendation of Justices of Peace for Adams Co. April, 1818.
61. Recommendation of civil officers for Pike Co. March 28, 1818.
62. From Gov. Robt. Purdy relative to Hugh Roane. May 25, 1818.
63. To Judge Toulmin from W. S. Peirce. July 26, 1818.
64. Petition for Pardon. July 26, 1819.
65. Petititon for Pardon. July 26, 1819.
66. Petition for Pardon of James Baker. 1819.
67. Message from the Governor. Jan 29, 1819.
68. Message from the Governor to the Legislature. Jan. 19, 1819.
69. Report of appointments made by the Governor. Jan. 6, 1819.
70. Message from the Governor to the Legislature. Jan. 7, 1819.
71. Schedule G. of monies paid out of Treasury. Jan. 1, 1819.
72. Communication from the General Assembly to the Governor. Feb., 1818.
73. Governor's message to the Legislature. Jan. 5, 1819.
74. Recommendation of Military officers. March 6, 1819.
75. To Gov. Holmes from J. G. Bruinway. Aug. 11, 1818.
76. To Gov. Holmes from John Ford. May 30, 1818.
77. To Gov. Holmes from Wm. C. Greenup. Sept. 11, 1818.
78. Communication to the Legislature from the Gov. Feb. 15, 1819.
79. Resignation of Vertner. Oct. 20, 1818.
80. Recommendation of David Ford, J. P. April 29, 1819.
81. To Gov. Holmes from D. Vertner. Oct. 31, 1818.
82. Recommendation of civil officers for Claiborne Co. Oct. 31, 1818.
83. Recommendation of Geo. Davis. Nov. 24, 1818.
84. Recommendation of Justices and Constables for Lawrence. Nov. 7, 1818.
85. Resignation of W. Terry. Feb. 5, 1818.
86. Recommendation of officers for Adams Co. April 8, 1819.
87. Recommendation of officers for Pike Co. March 26, 1819.
88. Recommendation of officers for Jefferson Co. March 26, 1819.
89. Schedule F. of monies paid out of Treasury. Jan. 1, 1819.
90. Recommendation of civil officers for Lawrence Co. May 14, 1819.
91. To Gov. Holmes from Hugh Roane. June 23, 1818.
92. Recommendation of officers for Hancock Co. Aug. 27, 1819.
93. To Gov. Holmes from Barth. Shaumburgh. June 29, 1818.
94. To Gov. Holmes from J. E. Clarke. July 9, 1818.
95. Recommendation of civil officers for Franklin Co. Aug. 27, 1818.
96. Recommendation of civil officers for Franklin Co. May 27, 1819.
97. Recommendation of civil officers for Claiborne Co. Sept. 10, 1818.
98. Schedule F. of Treasurer. Jan. 1, 1819.
99. Recommendation of civil officers of Green Co. April 8, 1819.

100. Assessment Roll of Warren Co. for 1818.
101. Recommendation of civil officers for Warren Co. July 11, 1819.
102. To Gov. Holmes from P. A. Vandorn. Oct. 21, 1819.
103. To Gov. Holmes from P. B. Harrison. Nov. 10, 1819.
104. To Gov. Holmes from Robt. Neil. June 11, 1818.
105. To Gov. Holmes from Eli Garner, Col. 8th Reg. June 5, 1818.
106. Relative to Wm. D. Hathborne. June 5, 1818.
107. Relative to John M. Fields. June 5, 1818.
108. To Gov. Holmes from N. Jourdan. Feby. 21, 1818.
109. To Gove. Holmes from John H. Robinson. May 2, 1818.
110. To Gov. Holmes from M. P. Hampton. May 9, 1818.
111. To Gov. Holmes from E. E. Spillman. May 6, 1818.
112. To Gov. Holmes from A. Hoger. May 4, 1818.
113. To Gov. Holmes from J. G. Richardson. March 14, 1818.
114. To Gov. Holmes from John Elliott. March 19, 1818.
115. To Gov. Holmes from D. Vertner. March 20, 1818.
116. To Gov. Holmes from Alex Baillie. Feb. 13, 1818.

There are fifty other valuable letters in this collection.

State Archives.

Official letters to Gov. George Poindexter and other documents of his administration.

1820 to 1822.

1. Recommending William Haile for district judge. Mar. 30, 1821.
2. Gov. Poindexter to Sheriff of Lawrence Co. Oct. 28, 1820.
3. Recommending Wm. Hobert as J. P. May 29, 1821.
4. James Patton to Governor Poindexter. Feb. 12, 1821.
5. Return of justices of quoram of counties. Feb. 10, 1821.
6. Isaac Kemp to Governor Poindexter. Sept. 25, 1820.
7. Philip Dixon to Gov. Poindexter. May 31, 1821.
8. Recommendation for J. P. June 2, 1821.
9. Henry Quin to Governor ———. May 10, 1821.
10. Petition. Aug. 27, 1821.
11. Recommendation for J. P. Aug. 27, 1821.
12. From Perry County officials. Sept. 2, 1820.
13. From Hugh McDonald. Jan. 10, 1821.
14. From Harmon Runnels. Jan. 27, 1821.
15. From James Phillips. Jan. 29, 1821.
16. Woodson Wren. Jan., 1821.
17. Census of Warren County. Jan., 1820.
18. From J. R. Nicholson. Feb. 5, 1821.
19. From Edward Turner. Feb. 1, 1821.
20. From Dougal Torrey. Jan. 12, 1820.
21. From Governor to Auditor Richards. Feb. 13, 1821.
22. From Post Master at Shieldsboro. April 11, 1821.
23. Governor to Richard Stockton and W. B. Griffith. June 2, 1821.
24. Report of State Treasurer. Feb. 29, 1820.
25. Governor's Message to Legislature. Jan. 28, 1820.
26. From B. C. Barry. Feb. 5, 1821.
27. From Governor of Vermont. Jan. 3, 1820.
28. From Governor of South Carolina. Jan. 1, 1820.
29. Petition of Peter Corbell. Oct. 1, 1821.
30. From Harmon Runnels. Aug. 28, 1821.
31. From Thos. Batchelor. Sept., 1821.

32. Wm. B. Griffith. July 18, 1821.
33. From Thos. Batchelor. June, 1821.
34. From Chas. B. Greer. June 7, 1821.
35. From James C. Wilkins. Feb. 9, 1820.
36. From Elija Gentry. July 24, 1821.
37. Petition for pardon.
38. Census of Pike County. 1820.
39. From P. A. Vandorn. Aug., 1821.
40. From P. A. Vandorn. Feb., 1821.
41. Petition from Covington County. Feb. 9, 1821.
42. From Philip Dixon. Jan., 1821.
43. Vote for President and V. P. 1821.
44. From Wm. B. Griffith. Nov. 5, 1821.
45. From Dixon Wainwright. Nov. 5, 1821.
46. Bond to Governor. Feb. 10, 1820.
47. Bond to Governor. Mar. 29, 1820.
48. Bond to Governor. Nov. 4, 1821.
49. Auditor's Bond. 1820.
50. Bond, Clerk of Perry County. 1820.
51. Bond to Governor. 820.
52. Bond of Clerk of Wayne County. Mar. 25, 1820.
53. Bond of Sheriff of Franklin County. 1821.
54. Bond of Sheriff of Adams County. 1821.
55. State Treasurer's Bond. 1820.
56. Auditor's Bond. 1821.
57. Bond to Governor. 1821.
58. Bond to Governor of the sheriff Claiborne Co. 1821.
59. Bond to Governor of clerk of Wayne Co. 1821.
60. From A. Defrance. July 29, 1821.
61. Petition of Isom Jones. 1821.
62. From Felix Hughes. Nov. 24, 1820.
63. From H. D. Downs. Dec. 10, 1820.
64. From Lewis Evan. Oct. 18, 1820.
65. From Daniel Williams. Dec. 21, 1820.
66. From E. Gray. Nov. 7, 1820.
67. From David Dixon. Oct. 29, 1820.
68. From Hugh M. Donald. Nov. 11, 1820.
69. From J. Cameron. Nov. 28, 1820.
70. From J. R. Nicholson. Oct. 31, 1820.
71. From John Ship. Jan. 20, 1820.
72. From A. Wallington. Feb. 28, 1821.
73. Petition. Feb. 7, 1821
74. From J. M. Tooley March 21, 1821.
75. From L. Glesses. Feb. 28, 1821.
76. Petition for pardon. 1821
77. From W H. Chaille. Jan. 7, 1821.
78. Election returns for Presidential Electors. Nov. 20, 1820.
79. From Edward Turner. Jan. 15, 1821.
80. From Noel Jourdan. June 5, 1821.
81. From Col. James Foster
82. From Reuben Collins. May 7, 1821.
83. Resignation. 1821.
84. Resignation. May 5, 1821.
85. Powhatan Ellis. 1821.
86. Bond to Governor. 1821.
87. Petition for Pardon. May 8, 1821.
88. From State Treasurer. Nov. 1, 1821.
89. Bond to Governor. 1821.

90. Bond of Clerk of Supreme Court. June 13, 1820.
91. Bond of State Treasurer. 1821.
92. From Geo. W. King. Jan. 12, 1821.
93. From B. E. Chaney. Jan. 27, 1821.
94. Commissions issued to Wilkinson Co. Oct. 4, 1821.
95. Petition. 1821.
96. Petition. 1821.
97. Recommendation for officials of Warren Co. 1821.
98. Recommendation for officials of Lawrence Co. 1821.
99. From J A. Maxwell. Apr. 5, 1821.
100. Recommending officials for Wilkinson Co. 1821.
101. Recommending officials for Adams Co. 1821.
102. Recommending officials for Franklin Co. 1821.
103. Recommending officials for Monroe Co. 1821.
104. Recommending officials for Wayne Co. Oct. 14, 1821.
105. From Daniel Williams. 1821.
106. From J. Odom. 1821.
107. Recommending officials for Lawrence Co. 1821.
108. Recommending J. P. for Biloxi. Mar. 21, 1821.
109. From Isaac R. Nicholson. Nov. 26, 1821.
114. Resignation. July 3, 1821.
110. Recommending officials for Perry Co. Apr. 17, 1821.
111. Recommending officials for Wayne Co. Apr. 2, 1821.
112. From Woodson Wren. Apr. 12, 1821.
113. Petition. Apr. 4, 1821.
115. From John McGuffey. May 7, 1821.
116. From justices of Franklin Co. June 25, 1821.
117. From Woodson Wren. Apr., 1821.
118. Recommending officers for Franklin Co. Mar. 27, 1821.
119. Election returns of Warren Co. Apr. 4, 1821.
120. Recommending officials for Warren Co. July, 1821.
121. List of Civil Appointments. Nov. 28, 1821.
122. Election returns Town of Liberty. May 18, 1821.
123. Recommending officials for Perry Co. July 17, 1821.
124. Recommending officials for Warren Co. Oct. 11, 1821.
125. Recommending officials for Greene Co. April 1, 1821.
126. Recommending officials for Covington Co. July, 1821.
127. Recommending officials for Pike Co. July, 1821.
128. Resignation. 1821.
129. From Wm. B. Griffith. Apr. 5, 1821.

State Archives.

Official letters and documents of Governor Walter Leake.

1821—1825.

1. Petition of John Moore. Jan. 20, 1823.
2. Recommendations for Lawrence County. Feb. 12, 1823.
3. Recommendations for Yazoo County. Mar. 28, 1823.
4. Resignation. Jan. 20, 1822.
5. From Natchez Vol. Corps. Apr. 28, 1824.
6. From Judge Phillips. Aug. 27, 1825.
7. Petition of Chickasaw Chiefs. Oct. 6, 1822.
8. Petition of Chickasaw Chiefs. 1822.
9. Petition for pardon. May 21, 1823.
10. From Michael Holloman. Aug. 19. 1825.
11. Affidavits. 1825.
12. From Charles B. Green. Feb. 4, 1822.

13. Documents in Jones case. Feb. 12, 1825.
14. Petition from Green County. Nov., 1825.
15. Petition favoring R. Terrell. July 19, 1824.
16. Resignation. July 19, 1824.
17. Resignation. Feb. 24, 1824.
18. Copy of pardon. 1825.
19. From James Gibson. Dec. 24, 1822.
20. Sheriff's Bond. 1823.
21. Sheriff's Bond. Aug. 20, 1825.
22. From Calvin Miller. Apr. 15, 1823.
23. Sheriff's Bond. Aug. 18, 1823.
24. Bond of Sheriff. Sept. 2, 1823.
25. Bond of Sheriff. Apr. 15, 1823.
26. Bond of Sheriff. 1823.
27. Bond of Sheriff. 1823.
28. Bond of Sheriff. 1823.
29. Bond of Sheriff. 1823.
30. Treasurer's Bond of Yazoo County. 1823.
31. Return of Agent of Choctaws. 1823.
32. Return of Agent of Choctaws. 1823.
33. Gov. Leake to John A. Grimball. Mar. 25, 1822.
34. To John Block. July 15, 1822.
35. To Edward Turner. Aug. 10, 1824.
36. To Thomas A. Willis. Apr. 10, 1822.
37. To L. Gleisis. 1823.
38. Petition. 1823.
39. Protest, Hancock County. Aug. 10, 1821.
40. Petition. 1821.
41. Petition. 1821.
42. From Cowles Meade. May 10, 1821.
43. Births and deaths, Lawrence County. 1823.
44. Commissions. June 29, 1822.
45. Schedules of monies paid out of State Treasury. Oct. 31, 1821.
46. From W. Ward, Choctaw Agent. Dec. 30, 1823.
47. Petition. 1823.
48. Bond. 1823.
49. To Stephen Cocke. Sept. 9, 1825.
50. Gov. Leake to John A. Grimball. Oct. 24, 1823.
51. Petition. 1823.
52. Gov. Leake to John A. Grimball. June 15, 1822.
53. Petition of young men of Natchez. May 9, 1823.
54. Resignation. Feb. 16, 1824.
55. Petition. March 6, 1823.
56. Pardon. 1823.
57. Resignation. 1823.
58. Petition. 1823.
59. Resignation. 1823.
60. Pleas before Judge Stockton. 1823.
61. To William Sugett. Sept. 4, 1824.
62. Petition. 1824.
63. Petition. 1824.
64. Petition. 1824.
65. Petition. 1824.
66. Edward Turner. Sept. 10, 1823.
67. To A. G. Metcalf. June 14, 1823.
68. Pleas before Judge Louis Winston. 1822.
69. To John Richards. Oct. 18, 1825.
70. Resignation. May 1, 1824.
71. To Bela Metcalf. Jan. 28, 1822.

72. Petition. 1824.
73. Petition. 1824.
74. Census of Wilkinson County. 1824.
75. To Col. S. Sprague. Aug. 8, 1825.
76. To R. D. Haden. Sept. 21, 1825.
77. Resignation. 1824.
78. Petition.
79. To Peter C. Chambliss. Mar. 28, 1824.
80. Committee of Congress, U. S. Jan. 24, 1822.
81. Oath of Office of Gerard C. Brandon as Lt. Gov. Jan. 3, 1824.
82. Oath of Office of Governor Leake. Jan. 4, 1824.
83. To Powhatan Ellis. June 3, 1822.
84. Gov. Leake to Secretary of State. Jan. 16, 1823.
85. Petition. 1823.
86. Recommendation of Franklin L. Riley. Apr. 28, 1823.
87. To Isaac Harby. March 27, 1824.
88. To U. S. Genl. Land Office. Apr. 14, 1825.
89. To Saml. L. Southard. July 13, 1825.
90. Births and deaths, Adams county. 1823.
91. Resignation. 1824.
92. To Roger A. Hern. July 15, 1823.
93. Petition. 1824.
94. To W. Ward, Choctaw Agent. July 26, 1824.
95. To Felix H. Walker. Nov. 12, 1823.
96. Petition. 1823.
97. Petition. 1823.
98. Petition. 1823.
99. Petition. 1823.
100. Gov. Leake to General Assembly. June 17, 1822.
101. To Richard Sparks. 1824.
102. To John Richards. Nov. 5, 1824.
103. Births and deaths in Claiborne county. 1822.
104. To Daniel Burnet. Dec. 17, 1823.
105. Petition. 1823.
106. Copy of pardon. Sept. 22, 1823.
107. Petition. 1823.
108. Bond. 1822.
109. Bond. 1822.
110. Bond. 1822.
111. Bond. 1822.
112. To U. S. Department of State. Oct. 2, 1823.
113. To Robt. D. Hardin. Oct. 27, 1821.
114. Appointment of John Richards Judge of Probate of Adams Co. Sept. 9, 1823.
115. To John A. Grimball. Dec., 1823.
116. To W. W. Walker. Nov. 2, 1822.
117. Bond. 1822.

State Archives.

Official letters and Documents of Governor Gerard C. Brandon. 1825, 1827, 1831.

1825—1827—1831.

1. From Genl. Andrew Jackson. Aug., 1830.
2. Commission of Reg. Judge Advocate. Oct. 26, 1828.
3. Petition for pardon. 1828.

4. Petition for pardon. 1828.
5. Petition for pardon. 1828.
6. Petition for pardon. 1828.
7. From Nicholas Biddle. July 4, 1831.
8. Message of Governor. 1830.
9. Sheriff of Claiborne county. Oct. 6, 1831.
10. Resignation. Oct. 6. 1831.
11. Commission of Alex C. Henderson. Mar. 24, 1831.
12. General Military orders from Governor. 1826.
13. Resignation. Dec. 11, 1830.
14. From William Taylor. Apr., 1831.
15. From David Bullock. Oct. 25, 1830.
16. From Laban Bascot. Mar. 28, 1831.
17. Resignation. Sept. 26, 1830.
18. Resignation. Oct. 14, 1831.
19. Resignation. Oct. 20, 1827.
20. Resignation. Aug. 27, 1827.
21. Resignation. Nov. 27, 1826.
22. Resignation. May 15, 1827.
23. Resignation. June 12, 1828.
24. Commission Tr. of Marion county. June 11, 1827.
25. Commission of J. P. Port Gibson. July 23, 1827.
26. Resignation. Apr. 8, 1828.
27. From Wm. C. Harris. Oct. 17, 1830.
28. Resignation. Apr. 11, 1831.
29. Resignation. Apr. 11, 1831.
30. Resignation. May 6, 1831.
31. Resignation. Feb. 4, 1831.
32. Commission. Feb. 4, 1831.
33. Secretary of State, Delaware. Mar. 30, 1830.
34. Secretary of State, Indiana. Sept., 1831.
35. From Nicholas Biddle. Dec. 27, 1830.
36. From John Cowan. Jan. 3, 1830.
37. From L. D. Brown. Dec. 14, 1830.
38. From Solomon Higginbottom. Feb. 19, 1831.
39. From John I. Guion. Jan. 1, 1831.
40. Petition. Dec. 28, 1830.
41. Saml. Jayne. Jan. 27, 1831.
42. Petition for pardon. March 7, 1831.
43. Committee of Safety, Vicksburg. Dec. 11, 1830.
44. Report of Coroner's inquest. 1831.
45. From Saml. D. McCray. Jan. 3, 1826.
46. From Geo. Shanks. Feb. 17, 1831.
47. Message to the Legislature. Jan. 3, 1826.
48. Credentials of Wm. Haile, Congressman. Sept. 26, 1826.
49. Gov. Brandon to Secy. of State. 1829.
50. State Treasurer's Bond. 1830.
51. Auditor's Bond. 1827.
52. Auditor's Bond. 1829.
53. Auditor's Bond. 1830.
54. Appointment of Bank Directors. Jan. 30, 1830.
55. Recommendation for Assessor Amite Co. Aug., 1829.
56. From John Robertson. Dec. 23, 1829.
57. Recommendation for Assessor, Yazoo County. 1830.
58. From Jacob Hyland. Feb. 5, 1830.
59. From W. A. Woods. Mar. 3, 1831.
60. From John W. Hindreck. Jan. 8, 1831.
61. Recommendation for Tax Collector, Yazoo Co. 1831.

62. From Shem Thompson. Jan. 2, 1830.
63. From W. Briscoe. Jan. 2, 1830.
64. Recommending Tax Collector for Adams Co. 1829.
65. From John Snodgrass. Jan. 4, 1830.
66. From W. McDougal. Jan. 4, 1830.
67. From Wm. L. Sharkey. Feb. 4, 1830.
68. From Major Creath. Jan. 31, 1830.
69. From Wm. L. Sharkey. Jan. 30, 1830.
70. Recommending Assessor for Adams Co. Dec. 4, 1829.
71. From Holsey Townsend. Dec. 22, 1829.
72. Recommending Assessor of Yazoo Co. Dec. 30, 1829.
73. Recommending Assessor of Copiah Co. 1830.
74. From W. N. Miller. Jan. 6, 1830.
75. From Wm. Hosey. Dec. 29, 1823.
76. From Adam Gordon. Dec. 15, 1823.
77. Recommending Robt. Gray. Jan. 28, 1830.
78. From Bennett M. Hines. Jan. 30, 1830.
79. From D. D. Downire. Dec. 31, 1829.
80. Recommendations. 1830.
81. Petition from Lawrence County. 1830.
82. Governor to Sheriff of Adams Co., Pardon. May 19, 1830.
83. Pardon. Dec. 11, 1830.
84. Remission of fine. Jan. 14, 1830.
85. Appointment of bank directors. Feb. 16, 1831.
86. Notice from General Assembly. Dec. 20, 1831.
87. From Neal McNeal. Jan. 24, 1827.
88. Correspondence between Gov. Brandon and Dr. Stephen Duncan on the subject of a loan to be negotiated for the State of Mississippi for $200,00, 25 titles.
89. From John Lowe. Apr. 13, 1831.
90. Gov. Brandon to John A. Grimball. Dec. 26, 1830.
91. Bond. 1829.
92. Gov. Brandon to R. L. Thockmorton. Apr. 14, 1831.
93. Gov. Brandon to Gov. of Tennessee. Aug. 7, 1830.
94. Bond. Dec. 17, 1827.
95. Petition. 1830.
96. Receipt for Governor's salary. Jan. 29, 1826.
97. Registration. Aug. 20, 1827.
98. From Edmund Smith. March 5, 1827.
99. Notice of election of Robt. H. Adams, U. S. Senator; T. B. J. Hadley, Auditor, and Richard M. Gains, Atty. Genl. of Mississippi by Jno. Mallory, Clerk of the House. Jan. 8, 1830.
100. Remission of fine. Oct. 18, 1830.

Eighty-two letters of this collection are not catalogued here.

State Archives.

Official letters and other documents of Gov. David Holmes.

1. To Gov. Holmes from B. L. C. Wailes. Mar. 21, 1826.
2. Recommendation of Saunderson, J. P. Mar. 11, 1826.
3. Gov. Message to the Legislature. Jan. 25, 1826.
4. To Hon. W. M. Haile from W. Ward. Jan. 25, 1827.
5. Commission of Hugh McDougald, Pro. Judge. Jan. 30, 1826.
6. Resignation of Thos. Bankston. Jan. 1, 1826.
7. Official Bond of John Slocumb. Feb. 25, 1826.
8. Oath of Office of Jas. Hanley. Feb. 9, 1826.

9. Official Bond of Willie H. Arnold. July, 1826.
10. Official Bond of A. K. Shaifer. Aug. 13, 1826.
11. Recommendation of Joseph G. Anderson. Jan. 17, 1826.
12. To Gov. Holmes from P. A. Davidson. July 11, 1826.
13. To Gov. Holmes from Wm. Downing. Apr. 4, 1826.
14. Official Bond of Wm. Mellone. Feb. 25, 1825.
15. Official Bond of Simeon Duke. Apr. 16, 1826.
16. To Gov. Holmes from R. Heirne. May 22, 1826.
17. To Gov. Holmes from Jno. D. Terrell. Apr. 5, 1826.
18. To Gov. Holmes from John D. Terrell. July 17, 1826.
19. Recommendation of H. L. Barber, J. P. Feb. 20, 1826.
20. To Gov. Holmes from John B. Cobun. Mar. 6, 1826.
21. Message to the Legislature from the Gov. Jan. 15, 1826.
22. Census of Miss. for 1825.
23. To Gov. Holmes from Josiah S. Doak. Jan. 11, 1826.
24. To Gov. Holmes from W. Ward. Jan. 16, 1826.
25. Resignation of James Patton. Jan. 9, 1826.
26. To Gov. Holmes from Geo. Tichenor. Jan. 12, 1826.
27. To Gov. Holmes from Geo. Tichenor. Dec. 28, 1825.
28. To Gov. Holmes from Geo. Graham. Sept. 24, 1825.
29. From General Land Office. Apr. 14, 1825.
30. To Gov. Holmes from Alex Morrison. Jan. 10, 1826.
31. To Gov. Holmes from W. P. Harris. Jan. 17, 1826.
32. Resignation of Charles Stewart. Jan. 3, 1825.
33. To Gov. Holmes from J. Joor. Jan. 4, 1826.
34. To Gov. Holmes from Land Office. July 8, 1825.
35. To Gov. Holmes from Gab. Felder. Dec. 31, 1825.
36. To Gov. Holmes from James Smith. Apr. 26, 1826.

State Archives.

Correspondence of Gov. Abram M. Scott, 1832-1833

1. Census of Adams county for 1830.
2. Official Oath of Gov. Scott. Jan. 9, 1832.
3. Petition of Harnesby. Nov. 11, 1832.
4. Circular. June 25, 1832.
5. Proclamation by the Governor. July 30, 1832.
6. To Governor from Harry Cage. Oct. 25, 1832.
7. To Governor from R. M. Gains. Oct. 27, 1832.
8. To Governor from Maj. Lea. Oct. 23, 1832.
9. To Governor from Edward C. Delavan. July 3, 1832.
10. To Governor from B. L. Wailes. Jan. 4, 1833.
11. To Governor from Robt. T. Dunbar.
12. Circular from Auditor. Apr. 10, 1832.
13. To Governor from Cyrus Griffin. Sept. 10, 1832.
14. To Governor from D. Ventress. Nov. 10, 1832.
15. To Governor from Isaac Caldwell. Jan. 22, 1832.
16. To Governor from William S. Colquhoun. July 16, 1832.
17. To the Governor from O. W. Beall. July 20, 1832.
18. To Governor from P. B. Harrison. June 2, 1832.
19. To Governor from Cyrus Griffin. Oct. 23, 1832.
20. To Governor from Cashier of Planter's Bank. Jan. 10, 1833.
21. Report of Secretary of State. Sept. 25, 1832.
22. To Governor from James Cornell. April 26, 1832.
23. Petition of J. W. Alley. Nov. 27, 1832.
24. To Governor from Samuel Stamps. June 19, 1832.
25. To Governor from John Moffatt. Sept. 17, 1832.
26. Recommendation of Covington Rawlings. July 21, 1832.

27. Petition of Benj. Mitchell. Oct. 3, 1832.
28. Commission to take depositions. June 5, 1832.
29. Resignation of Gerard C. Brandon. Oct. 4, 1832.
30. To Governor from Joseph Johnson. Oct. 5, 1832.
31. Petition to remit fine of John Covington. Feb. 3, 1832.
32. To Governor from James Cornell. Jan. 30, 1832.
33. Resolution relative to the exercise of certain powers by the general government. Sept. 20, 1831.
34. To the Governor from David Gordon. Sept. 29, 1832.
35. Communication from the State of Maine. Nov. 10, 1832.
36. To Col. John A. Grimball, from James F. Frotter. Aug. 17, 1832.
37. To Governor from Benj. F. Smith. Oct. 9, 1832.
38. To Governor from E. J. Farish. Oct. 5, 1832.
39. Petition for pardon of Isaac Tabor. 1832.
40. Report of Secretary of State and census. 1830.
41. Act of Congress apportioning representation. May 22, 1832.
42. Petition for relief of Isaac Tabor. Oct. 3, 1832.
43. Petition for relief of James Sellers. 1832.
44. To Governor from Stephen Cocke. Sept. 3, 1832.
45. To Governor from J. Hendebert. Apr. 7, 1832.
46. Petition of J. Hendebert. Apr. 8, 1832.
47. To Governor from J. Cornell. Mar. 23, 1832.
48. To Governor from Wm. H. D. Denny. Dec. 26, 1832.
49. Recommendation of John W. Bryan. June 26, 1832.
50. To Governor from Nimrod Davis. Oct. 22, 1832.
51. To Governor from J. S. McHurran.
52. Recommendation in favor of Wm. Rawlings. Sept. 22, 1832.
53. To Governor from James Phillips. June 29, 1832.
54. Petition for pardon of Charles Vanhorn.
55. Petition of John, a slave, for pardon. 1832.
56. To the Governor from Harry Cage. July 13, 1832.
57. Petition for pardon. July 14, 1832.
58. Petition for pardon of Catherine Howard. Sept. 15, 1832.
59. Board of Trustees of Jefferson College.
60. To the Governor from John Martin Elden. July 13, 1832.
61. Petition for pardon. July 14, 1832.
62. To Governor from W. L. Sharkey. Dec. 18, 1832.
63. To Governor from John G. Singleton. June 28, 1832.
64. Petition in favor of J. H. Newman.
65. To Governor from Joseph H. Newman. Jan. 7, 1833.
66. To Governor from Charles Netterville. May 24, 1833.
67. Recommendation of James Varnell. Jan. 25, 1833.
68. To Governor from John C. Sims. Jan. 1, 1833.
69. Application of John C. Sims. Jan. 1, 1833.
70. To Governor from F. Davis. December 31, 1832.
71. An Act relative to appointment of sheriffs. June 15, 1833.
72. Message of the Governor. Feb. 26, 1833.
73. To Governor from Planter's Bank, Natchez. June 12, 1832.
74. To the Legislature from Governor.
75. To Legislature from Governor. Jan. 25, 1833.
76. To Governor from Governor of Delaware. Jan. 31, 1833.
77. Message of Governor. Jan. 8, 1833.
78. List of Executive appointments. 1832-33.
79. Communication from Governor to Legislature. Jan. 18, 1833.
80. Communication from Governor to Legislature. Jan. 23, 1833.
81. To Governor from J. C. D. Canty. Sept. 30, 1831.
82. To Governor from Medical Institute of Georgia. June, 1833.
83. Resignation of J. B. Tieldey. May 17, 1832.

84. Letter from Gov. of Louisiana with documents. Jan. 10, 1832.
85. Letter from Governor of Maine with documents. Oct. 26, 1831.
86. Recommendation of G. M. Weatherby. Dec. 23, 1831.
87. Resignation of Stephen Howard. May 30, 1833.
88. To Governor from D. Greenleaf. Jan. 8, 1833.
89. To Col. John A. Grimball, from Governor. Dec. 9, 1832.
90. To Governor from D. Greenleaf. Mar. 6, 1833.
91. Certificate of election returns. June 10, 1833.
92. Application for commission. Apr. 18, 1833.
93. Recommendation of Malcolm G. Wilkinson. Nov. 13, 1833.
94. Petition of Adam Sherley. Feb. 18, 1833.
95. Official oath of David Dickson. June 1, 1833.
96. From Governor to John A. Grimball. April 25, 1832.
97. Allotment of terms and service of Justices High Court of Errors and Appeals. June 22, 1832.
98. Abstract of census. 1830.
99. Resolution of Legislature of Louisiana. April 2, 1832.
100. Appointment of M. F. DeGraffenreid. Mar. 2, 1833.
101. Petition for relief of Thomas Berry. Feb. 5, 1833.
102. To Governor from Judge Smith. Apr. 15, 1833.
103. Pardon of John, an Indian. Apr. 13, 1833.
104. Oath of M. King. May, 1833.
105. Appointment of James C. Wilkins and Felix Huston as commissioners to negotiate a sale of Bonds of State of Mississippi to amount of one million five hundred thousand dollars. March 1, 1833.
106. To the Governor from John Nicholson. Mar. 23, 1833.
107. Recommendations of Justices of Peace of Lowndes county. Mar. 2, 1833.
108. Recommendation of Richard W. Webber. Apr. 23, 1832.
109. Resolutions from the Board of Trustees of Jefferson College. Nov. 30, 1832.
110. Certificate of H. G. Moore. Mar. 12, 1833.
111. Chancellor John A. Quitman's Oath of Office. June 14, 1833.
112. Certificate of Yazoo county Tax Collector. May 21, 1833.
113. Power of Attorney of Huston & Wilkins, Commrs. of Planters' Bank. Apr. 13, 1833.
114. Commission in favor of Adam Shirley. Feb. 8, 1833.
115. To the Governor from Felix Houston. Apr. 5, 1833.
116. To the Governor from Cyrus Griffin. Feb. 28, 1833.
117. Petition for relief of Dave Phillips. May 13, 1832.
118. To the Governor from K. W. Forsyth. Feb. 27, 1832.
119. Recommendation of Covington Rawlings. Feb. 22, 1832.
120. To W. S. Colquhoun from Gov. Scott. July 9, 1832.
121. Copy of Pardon of John—a slave. July 18, 1832.
122. Commission of A. C. Henderson, Associate Justice. Mar. 24, 1831.
123. To the Governor from J. M. Morris. Aug. 17, 1832.
124. Petition for Indian John. Apr. 3, 1833.
125. Transcript, State of Mississippi v. Sam—a slave. May 23, 1832.
126. Petition for Pardon of Sam, a slave. May 22, 1832.

State Archives.

Correspondence of Governor Hiram G. Runnels. 1833-1835.

1. Memorial to Governor from Pike Co. Apr. 1, 1835.
2. Petition of Citizens of Yazoo Co. 1832.
3. Petition for the relief of Chas. Horton. Jan. 18, 1822.
4. Recommendation of Joseph Parmale. July 2, 1833.

5. Fragment of letter from Solomon W. Brill.
6. Resignation of Daniel McCaskill, Jr. Mar. 3.
7. To the Gov. from J. B. Spencer. Aug. 19, 1834.
8. To the Governor from James Carpenter. Oct. 23, 1834.
9. Petition for pardon of Capt. David Bullock. Apr. 11, 1835.
10. Petition for pardon of C. K. Brown. May 15, 1835.
11. Petition for pardon of Chas. Lynch. July 13, 1832.
12. To the Governor from P. H. Harrison. Mar. 27, 1832.
13. Pleas in State vs. Brown. May, 1834.
14. Bond of Jacob Seal and John S. Brush. Mar. 27, 1834.
15. To the Governor from P. Smith. May 5, 1834.
16. Resignation of M. F. DeGraffenreid. June 8, 1834.
17. Resignation of Roger A. Hiery. Aug. 24, 1825.
18. From R. L. Hamilton, sheriff. June 4, 1834.
19. Petition for pardon of Wm. G. McMentry. May 1, 1834.
20. To the Governor from Fielding Davis. May 5, 1834.
21. Report of Coroner's inquest. Aug. 24, 1834.
22. Recommendation of W. H. Scott. May 14, 1834.
23. To the Governor from Jos. Patterson, acting Justice of the Peace. Feb. 26, 1835.
24. To the Governor from John Slade. Oct. 10, 1835.
25. Recommendation of Albert G. Foster. Dec. 26, 1833.
26. Resignation of Robert Layson. June 20, 1834.
27. Resignation of G. D. Boyd. Nov. 25, 1833.
28. Recommendation of Maj. A. M. Feltus. Jan. 7, 1834.
29. Petition for relief of John Slade.
30. From the U. S. Treasury Dept. Jan. 22, 1835.
31. From the Governor of N. C. Jan. 12, 1835.
32. To the Governor from A. G. Creath. Dec. 4, 1833.
33. To the Governor from H. J. Rauney. Jan. 12, 1835.
34. From Robt. G. Green. June 29, 1835.
35. From Wm. Van Norman. Apr. 19, 1835.
36. From Robt. Campbell. Jan. 24, 1835.
37. From Robt. L. Matthew. Jan. 1, 1835.
38. Certificate of Election of a Justice of the Peace. Nov. 17, 1835.
39. Resignation of G. H. Holloman. Apr. 12, 1835.
40. To the Gov. from President Planter's Bank. Jan. 30, 1835.
41. To Governor from E. D. White. Apr. 8, 1835.
42. Petition for pardon of Adam Ulmer, Jr. Feb. 25, 1835.
43. Petition for pardon of Joseph Wooten.
44. To Governor from E. A. Acee. May 28, 1835.
45. Resignation of Woodson Wrenn. July 13, 1835.
46. To the Governor from Hyde Goodrich. Dec. 5, 1833.
47. To the Governor from B. T. Ludlow. Dec. 22, 1833.
48. To the Governor from J. M. Howard. Aug. 19, 1834.
49. To Governor from John F. H. Claiborne. Sept. 11, 1835.
50. To Governor from Geo. B. Jandejon. Nov. 11, 1833.
51. Protest to the Governor from Tallahatchie Co. Oct. 21, 1834.
52. Petition of Andrew McDonald. Aug. 1, 1834.
53. Petition of James William. Oct. 28, 1834.
54. To the Governor from Alex Stringer. Sept. 9, 1834.
55. To the Governor from Sec. of State of Pennsylvania. July 15, 1833.
56. Returns of election. Feb. 7, 1834.
57. To the Governor from Griffen H. Holliman. Nov. 30, 1833.
58. To the Governor from David Dickson. Sept. 4, 1834.
59. To the Governor from J. B. Spencer. Oct. 30, 1834.
60. To the Governor from J. Carpenter. Oct. 1, 1834.
61. Communication from U. S. Senate. Feb. 26, 1833.
62. To the Governor from C. D. Spring. Sept. 28, 1834.

63. Report of Samuel C. Davis, clerk. July 8, 1834.
64. To Governor from C. D. Spring. Sept. 8, 1834.
65. To Governor from A. Haralson. Dec. 2, 1833.
66. Petition.
67. Communication from State of Maine. Sept. 2, 1834.
68. To the Governor from Chas. Moore. Oct. 6, 1834.
69. To the Governor from Reuben Davis. Dec. 23, 1833.
70. To the Governor from Samuel Jayne. Sept. 19, 1833.
71. To the Governor from Governor Illinois. Aug 25, 1833.
72. To Governor from Geo. Wythe. July 8, 1835.
73. To Gov. from Sec. of State of Maine. Aug 28, 1833.
74. To Gov. from Patrick Sharkey and James B. Killom. July 7, 1835.
75. Report of John P. Stewart, clerk. Aug. 19, 1834.
76. Election of Adolphus G. Weir. Aug. 8, 1834.
77. To the Governor from James F. Notter. Jan. 25, 1833.
78. Election returns from Marion Co. Oct. 17, 1834.
79. Election returns from Columbus. Feb. 19, 1834.
80. Recommendation of county officers. Mar. 18, 1834.
81. Petition for relief of William Williams. Nov. 25, 1833.
82. Resignation of David McRea. Mar. 19, 1834.
83. Election returns of Perry Co. July 8, 1834.
84. To the Governor from Hugh McDonald. Mar. 4, 1834.
85. To the Governor from Mathew P. Brown. Oct. 3, 1835.
86. Resignation of Samuel M. Puckett. Jan. 27, 1835.
87. Petition of Adam Ulmer, Jr. Jan. 24, 1835.
88. To Governor from Sheriff of Leake Co. Dec. 8, 1834.
89. To Governor from Wm. M. McCown. 1834.
90. To Governor from Alexander McNeill. Mar. 18, 1831.
91. Blank Miss. Bond.
92. Petition for pardon of Cyrus G. Owens. Jan. 22, 1835.
93. To the Governor from Peter Quin. July 1, 1835.
94. To the Governor from Edward Livingston. June 5, 1832.
95. To the Governor from Thomas Cullreth, clerk. July, 1835.
96. To Governor from John Watts. Nov. 10, 1834.
97. Petition of Chas. K. Brown. 1834.
98. Application of Homakatoma to locate land. Nov. 7, 1835.
99. Petition to Legislature from Adams county. Dec., 1832.

State Archives.

The following archives of an executive nature appertaining to the administrations named have been separated from the general mass of documents and classified:

1. Governor Lynch, 300 titles.
2. Governor McNutt, 400 titles.
3. Governor Tucker, 300 titles.
4. Governor Brown, 400 titles.
5. Governor Matthews, 300 titles.
6. Governor Quitman, 300 titles.
7. Acting-Governor Whitfield, 50 titles.
8. Acting-Governor Guion, 25 titles.
9. Governor Foote, 200 titles.
10. Governor McRea, 250 titles.
11. Governor McWillie, 250 titles.
12. Governor Pettus, 2,000 titles.

The official correspondence of Gov. Pettus has great historical value as it contains many letters dealing with events of the war between the United States and the Confederate States.

13. Governor Clark, 500 titles.
14. Governor Sharkey, 500 titles.
15. Governor Humphries, 500 titles.
16. Governor Ames, 50 titles.
17. Governor Alcorn, 50 titles.

The official correspondence of Govs. Clark, Sharkey and Humphries is full of interest, as all the questions of reconstruction are discussed therein.

Miscellaneous Archives.

1. Original Manuscript, Constitution, 1817.
2. Original journal of Constitution Convention of 1817.
3. Resolutions to the Legislature, 1804—1815.
4. Minutes and proceedings of the Board of Commissioners of public buildings, 1836—1840.
5. Archives of Auditor's Office, 1803—1825.
6. Records of Surveyor-General's Office, 1812—1828.
7. Letter books of Secretary of State and Auditor, 1870—1871.
8. Record of commissions, civil and military, 1812 to 1817.
9. Record of commissions, civil and military, 1818 to 1827.
10. General atlas of 1816 showing Mississippi Territory.
11. Original manuscript, Constitution of 1832.
12. Dockets and Minute books, Supreme Court of Chancery.
13. Record books of legislative committees, sundry dotes.
14. Supreme Court minutes and dockets, 1809—1815.

Preservation of Archives.

The limited investigation which I have been able to make leads me to believe that a great many of the most valuable records of the State are in a very unsatisfactory and unsightly condition. Many of the above described archives were in a thoroughly bad state when found. All the records from the beginning, with the exception of original manuscript laws were made in well bound books. The binding on these records has by rough treatment been removed. About fifteen volumes of these valuable records, consisting of Executive journals, House journals and Senate journals, registers of commissioners, provincial records and maps, have been bound in law sheep. All the original manuscript laws of the Territory and of the State should be bound in substantial volumes. This work cannot be done now with the limited maintenance fund at the disposal of the Department. A liberal appropriation could be advantageously used in rebinding and preserving the historical archives of the State.

Confederate War Records.

The Act of Establishment, sec. 6, provides:

"That the Department is charged with the duty of making special effort to collect data in reference to soldiers from Mississippi in the war between the United States and the Confederate States both from the War Department at Washington and from private individuals, and to cause the same to be prepared for publication as speedily as possible."

This special provision of the law was constantly before me in my investigations. The Confederate War Records were made the subject of special search. My efforts in that direction were not at once rewarded, much to my regret.

Inquiries were made among the State officials, members of the United Confederate Veterans and old residents of Jackson as to the whereabouts of the military records of the State. My efforts in this direction were persistent.

Finally reliable information came to me through Hon. W. Calvin Wells, of Jackson, which enabled me to locate these valuable military records.

Mr. Wells informed me that Col. E. E. Baldwin, of Norrell, Hinds county, formerly a prominent lawyer of Jackson, knew the location of the Confederate War Records and had expressed a willingness to come to Jackson and point them out. I at once wrote to Col. Baldwin the following letter:

"JACKSON, MISS., *July 5th, 1902.*

"*Hon. E. E. Baldwin,*

"*Norrell, Miss.*

"MY DEAR SIR: Permit me to call to your attention a matter of great importance to the Department of which I have the honor to be Director.

"The Act establishing the Department of Archives and History specially charges it with the duty of collecting data in reference to soldiers from Mississippi in the war between the United States and the Confederate States.

"I am very anxious to accomplish something in my efforts to save the record of the valor of our brave soldiers.

"My labors up to this time have been barren of results, and investigation leads me to believe that the Confederate War Records of the State have been taken out of the custody of the officials here.

"Hon. Calvin Wells, of this city, informs me that you can and will give me valuable information about these records.

"I shall highly appreciate your coöperation and assistance.

"Very truly yours,

"DUNBAR ROWLAND,
"*Director.*"

Col. Baldwin's reply to the foregoing letter follows:

"NORRELL, MISS., *July 6th, 1902.*

"*Dunbar Rowland, Esq.,*

"*Jackson, Miss.*

"DEAR SIR: Your favor of yesterday is duly at hand. I am glad that the archives of the State are at length to be cared for, as I have worried much for years back to see them going to destruction.

"When Jackson was about to be captured in 1863, it was deemed best to secret the military records of the State, which consist of the muster rolls of the various commands raised in the State, and which then were mustered out of the State service and into the Confederate service. They lay in hiding during the balance of the war, and after the surrender came it was deemed best to still let them remain there, especially after Reconstruction came with its succession of military, carpet-bagger and negro State administrations. By the time all this had passed and it would have been safe to bring them out, the temper of the Legislature was such that it was impossible to get it to attend to its own records, and to bring them out was simply to have them destroyed. So they were allowed to remain. I am about the last man left, I think, who was cognizant of their whole history, and have been afraid that I too would go before they had been brought out and cared for as they now can be.

"It will be considerable of a job to get at them and to get them together (as they are scattered somewhat), but as soon as the weather gets a little cooler, I will come up and get them for you.

"When you get them, I hope you will have them bound, as it will be the only way to preserve them.

"Yours Resp.,

"E. E. BALDWIN."

The story of the discovery of the Confederate War Records, as given by the *Evening News* of July 25th, 1902, is here given:

"A VALUABLE DISCOVERY.

"Military Records of the State have been turned over to Archivist Rowland. They have been in the custody of the Jackson Masonic Lodge all these years.—Col. Baldwin informed Mr. Rowland of the whereabouts of the records.—An interesting story.

"The prudence and wisdom of the last Legislature in establishing the Department of Archives and History is being demonstrated daily. Valuable records and archives of priceless value are being constantly brought from their hiding place in the third story of the old capitol building where dust and cobwebs do most abound, and made a part of the historical material of the State.

"The latest and greatest addition to the Department was made to-day, and consists of the complete muster and pay rolls, reports, order books, accounts and other historical data of the soldiers furnished by the State of Mississippi to the army of the Confederate States. This valuable historical material is estimated to be worth Fifteen Thousand Dollars, as it would cost that amount to have certified copies made from the records of the War Department at Washington.

"This one discovery alone gives the State historical material which is worth far more than the sum appropriated for the support of the Department of Archives and History. The story of these long lost records reads like a romance of danger and of war, and brings to mind many of the

stirring scenes of May, 1863, when the city of Jackson was captured and made desolate by the Federal army.

"A little history here showing conditions as they existed in Jackson at that time will show the necessity for the precautions which were taken to preserve the military records of the State.

"'JACKSON, MISS., *May 16th, 1863.*

"'Federals evacuated Jackson Friday and Saturday, last of our rear guard leaving about two o'clock; our cavalry pickets dashed in, killed Federal colonel and two operators, captured seven; Grant occupied place in full force; his entire army don't exceed fifty thousand. Federals captured and paroled two hundred South Carolinians and Georgians. They leave two hundred wounded here and nine hundred at Raymond. Loring cut off and captured supply train Friday. Jackson badly sacked and burned; Green's factory and banking house, all work shops, penitentiary, Catholic church, Confederate house, two hospitals and a block of brick buildings were burned. Some of the burnt buildings used as medical store houses, all burnt. All stores sacked and contents destroyed, iron safes broken open. Mississippian office gutted, presses broken, type thrown into the street; Jackson road, Southern road torn up badly for several miles, all railroad buildings and rolling stock burned, damages estimated at from five to ten millions. About three thousand negroes have joined the enemy from Hinds county; county plundered generally. No serious engagement has occurred; enemy retreating hastily; furniture in State House badly abused, also in Governor's mansion furniture demolished; telegraph wires torn down and cut for several miles; ladies robbed of jewelry and money; much destitution here.'

"When it was known that the State Capitol would inevitably fall into the hands of the Federal army the State officials deemed it best to place the military records in a safe hiding place in the city of Jackson and these valuable documents were deposited for safe keeping with the ever faithful Masons of the local lodge who stored them with the archives of the fraternity.

"A few men only knew of the whereabouts of the military archives of the State when they were concealed thirty-nine years ago and all persons having actual knowledge of the facts are now dead.

"The late Col. D. P. Porter and Col. J. L. Power knew the secret hiding place and Col. Porter imparted it to Col. E. E. Baldwin of Norrell, Hinds county formerly a prominent lawyer of this city.

"On the death of Col. Porter and Col. Power, Col. Baldwin became the sole possessor of the secret hiding of the long lost military records, and knowing their value he lost no time after the establishment of the Department of Archives and History in laying his information before Mr. Rowland, the Director. Col. Baldwin gave his knowledge of the facts to Hon. W. Calvin Wells, who in turn gave them to the Director. Col. Baldwin came to the city yesterday afternoon (July 24) went immediately to the office of the State Archivist, and in company with that official, Mr. George Power and Mr George Swan representing the Masonic fraternity of Jackson, proceeded to their archives room and located the records in three large boxes.

"The officials of the fraternity were exceedingly kind and courteous to the representative of the State, and were much pleased at the thought that their order had been the unconscious keepers for so many years of such priceless records.

"This is not the first time that the State of Mississippi has been placed under obligations to the noble Masonic fraternity.

"Mr. Rowland extended to Col. Baldwin and to the gentlemen representing the Masons in the name of the State sincere thanks and assured them

that every Confederate veteran in Mississippi would gladly join. Col. Baldwin is a veteran of Barksdale's famous brigade, and is deeply interested in the future military history of the State which may now be accurately written."

"A greater public interest attaches perhaps to the Confederate War Records than to any other part of the official archives of the State. This interest has been indicated by many letters of inquiry which have come to the Department since these important documents were discovered."

The following tabulated statement has been made in the hurry of the daily administration of the Department and can only be of a preliminary nature. It is probable that companies may be mentioned more than once as the rosters are frequently duplicates.

It will take months to arrange the rosters and other historical material in a systematic manner.

The following tabulation is made from the rolls as they appear in the packages and is chiefly valuable to show what rosters have been recovered and how many, if any, are necessary to make the records complete.

Confederate War Records and Rosters.

Muster Rolls of

1.	Beauregard Rifles,	J. W. Balfour,	Capt.
2.	Brown Rebels,	A. G. Brown,	Capt.
3.	Camden Rifles,	Adam McWillie,	Capt.
4.	McClung Rifles,	Geo. B. Gerald,	Capt.
5.	Miss. College Rifles,	J. W. Welborn,	Capt.
6.	Hamer Rifles,	Chas. F. Hamer,	Capt.
7.	The Confederates,	O. R. Singleton,	Capt.
8.	Benton Rifles,	Wm. H. Luse,	Capt.
9.	Confederate Rifles,	Jos. W. Jayne,	Capt.
10.	Jeff Davis Rifles,	Samuel Benton,	Capt.
11.	Lafayette Guards,	William DeLay,	Capt.
12.	Home Guards,	Thos. W. Harris,	Capt.
13.	Quitman Rifle Guard,	Robert McGowan, Jr.,	Capt.
14.	Horn Lake Volunteers,	John W. Foster,	Capt.
15.	DeSoto Guards,	Saml. O. B. Crockett,	Capt.
16.	Avengers,	Geo. H. Lipscomb,	Capt.
17.	Minute Men of Attalla,	J. L. Bradley,	Capt.
18.	Buena Vista Hornets,	J. W. Buchanan,	Capt.
19.	Dowd Rebels,	J. D. Smith,	Capt.
20.	Gains Warriors,	Henry Roberts,	Capt.
21.	Helen Johnston Guards,	E. C. Postell,	Capt.
22.	Cumming Grays,	B. F. Toner,	Capt.
23.	Choctaw Rebels,	Wm. C. Staple,	Capt.
24.	Mississippi Confederates,	Wm. L. Lyles,	Capt.
25.	Kemper Rebels,	Richard P. McKilvain,	Capt.
26.	Burt Rifles,	E. R. Burt,	Capt.
27.	Quitman Southerns,	Wm. M. Hall,	Capt.
28.	Kemper Dragoons,	W. G. Beck,	Capt.

29. Co. F. 14th Confed. Cav., ... N. G. Rhodes, ... Capt.
30. Coonewah Rifles, ... Saml. H. Taylor, ... Capt.
31. Co. A. 5th Bat. 3rd Brig., ... T. P. Manning, ... Capt.
32. Enterprise Tigers, ... W. C. Turner, ... Capt.
33. Clark County Rescuers, ... Saml. H. Terral, ... Capt.
34. McLain Rifles, ... Wm. W. Weir, ... Capt.
35. Magnolia Rifles, ... Wm. C. Falkner, ... Capt.
36. Joe Matthews Rifles, ... Wm. D. Beck, ... Capt.
37. Tishomingo Riflemen, ... Bentley B. Boone, ... Capt.
38. Calhoun Rifles, ... John F. Booth, ... Capt.
39. Town Creek Riflemen, ... Wm. C. Bromley, ... Capt.
40. Falkner Guard, ... R. J. Hill, ... Capt.
41. Molino Rifles, ... E. M. Wells, ... Capt.
42. Stubbs Rifles, ... R. R. McKnight, ... Capt.
43. Tippah Tigers, ... P. Holcombe, ... Capt.
44. Tippah Riflemen, ... Moses McCurley, ... Capt.
45. Blount Guards, ... C. G. Blount, ... Capt.
46. Kossuth Volunteers, ... R. B. Allen, ... Capt.
47. Black Land Gidionites, ... J. M. Wells, ... Capt.
48. Plenitude Invincibles, ... J. R. Duvall, ... Capt.
49. Kemper Legion, ... J. W. Carter, ... Capt.
50. Lauderdale Zouaves, ... Kennon McElroy, ... Capt.
51. Alamutcha Infantry, ... P. H. Bozeman, ... Capt.
52. Winston Guards, ... J. M. Bradley, ... Capt.
53. Pettus Guards, ... S. J. Randall, ... Capt.
54. Secessionists, ... D. R. McIntosh, ... Capt.
55. Wayne Guards, ... W. J. Eckford, ... Capt.
56. Spartan Band, ... Wm. Mellard, ... Capt.
57. Durant Rifles, ... J. A. Cason, ... Capt.
58. Pettus Relief, ... Merry B. Harris, ... Capt.
59. Vicksburg Sharpshooters, ... H. H. Miller, ... Capt.
60. Natchez Fencibles, ... E. M. Blackburn, ... Capt.
61. Claiborne Guards, ... Henry Hughes, ... Capt.
62. Grenada Rifles, ... W. G. Stalham, ... Capt.
63. Quitman Rifles, ... J. W. Wade, ... Capt.
64. Winona's Stars, ... Thomas Booth, ... Capt.
65. Oktibbeha Plow-Boys, ... Rev. J. M. Watson, ... Capt.
66. McClung Rifles, ... Edgar Sykes, ... Capt.
67. McClung Rifles, ... M. Farrell, ... Capt.
68. Yalobusha Rifles, ... F. M. Aldrich, ... Capt.
69. Pettus Rebels, ... E. Reed, ... Capt.
70. Folsom Guards, ... G. W. Ryan, ... Capt.
71. Pickering Guards, ... R. P. Austin, ... Capt.
72. Pickering Guards, ... G. G. Flint, ... Capt.
73. Moody True Blues, ... Green C. Chandler, ... Capt.
74. Clark County Rangers, ... J. T. Gates, ... Capt.
75. Capt. A. McNeill's Co. 8 Reg.,.. Miss Vols.
76. Southern Sentinels, ... W. C. Day, ... Capt.
77. Confederate Guards, ... J. G. Knox, ... Capt.
78. Simpson Fencibles, ... E. B. Bennett, ... Capt.
79. Lake Rebels, ... Towner, ... Capt.
80. Lauderdale Springs Grays, ... B. B. Smith, ... Capt.
81. John M. Sharpes, ... S. M. Dyer, ... Capt.
82. Defenders, ... W. H. Hardy, ... Capt.
83. Wilkinson Rifles, ... Carnot Posey, ... Capt.
84. Capt. Abram Feltus Co., 16th Reg. Miss. Vol.
85. Adams Light Guards, ... Robt. Clarke, ... Capt.
86. Adams Light Guard, ... Douglas Walworth, ... Capt.
87. Crystal Springs Southern Rights, Jas. C. Davis, ... Capt.

88. Capt. S. E. Baker's Co. 16th Reg. Miss. Vol.
89. Quitman Guards, ... S. A. Mathews, ... Capt.
90. Jaspers Grays, ... Jas. J. Shannon, ... Capt.
91. Fairview Rifles, ... John Taylor Moore, ... Capt.
92. Ben. Bullard Rifles, ... Jas. G. Bullard, ... Capt.
93. Corinth Rifles, ... Wm. H. Kilpatrick, ... Capt.
94. Miss. Rifles, ... Robt. A. Smith, ... Capt.
95. Madison Rifles, ... Jos. R. Davis, ... Capt.
96. Bahala Rifles, ... Octavius T. Gibbs, ... Capt.
97. Yazoo Minute Rifle, ... S. M. Phillips, ... Capt.
98. Rankin Rifles, ... Geo. M. Miller, ... Capt.
99. Port Gobson Rifles, ... Wm. C. McKeever, ... Capt.
100. Lake Rebels, ... Wm. L. Towner, ... Capt.
101. Lockport Steel Blades, ... Archibald Steel, ... Capt.
102. Crystal Springs Guards, ... Aron B. Lowe, ... Capt.
103. Capt. J. F. White's Co. G.
104. Scott County Cav. Co., ... J. L. Harris, ... Capt.
105. Dahlgreen Rifles, ... Parham B. Williams, ... Capt.
106. Jackson Guards, ... B. M. Hatch, ... Capt.
107. Lowry Rifles, ... W. J. Finch, ... Capt.
108. O'Connor Rifles, ... John H. Buchanan, ... Capt.
109. Rankin Rough and Ready, ... E. J. Runnels, ... Capt.
110. The Irrepressibles, ... Jas. R. Chalmers, ... Capt.
111. Carroll Co. Rebels, ... Jas. Drake, ... Capt.
112. Stevens Guards, ... R. D. Palmer, ... Capt.
113. Red Invincibles, ... W. C. Red, ... Capt.
114. Center Marksmen, ... Henry Jemsimon, ... Capt.
115. Nelson Grays, ... E. P. Nelson, ... Capt.
116. Sons of the South, ... Wm. A. Sumner, ... Capt.
117. Bangston Guard, ... W. B. Hale, ... Capt.
118. Benela Sharpshooters, ... Robt. Middleton, ... Capt.
119. Paris Rebels, ... G. W. Paris, ... Capt.
120. Attala Yellow Jackets, ... John B. Moore, ... Capt.
121. Monroe Volunteers, ... Saml. S. Gholson, ... Capt.
122. Agency Rifles, ... John M. Ware, ... Capt.
123. Oktibbeha Rescue, ... A. J. Maxwell, ... Capt.
124. Meridian Invincibles, ... W. F. Crumpton, ... Capt.
125. Quitman Invincibles, ... John P. McGowan, ... Capt.
126. Shubuta Rifles, ... Robt. J. Lawrence, ... Capt.
127. Enterprise Guards, ... R. Stuart Weir, ... Capt.
128. Columbus Riflemen, ... W. E. Baldwin, ... Capt.
129. J. W. Benoits Co. 14th Reg. Miss. Vols.
130. Beauregard Rifles, ... A. L. Lee, ... Capt.
131. Monroe Guards, ... F. M. Rogers, ... Capt.
132. Yankee Terror, ... Wm. Watkins, ... Capt.
133. Tallahoma Hard Shells, ... J. L. Sanders, ... Capt.
134. Date Volunteers, ... Jas. L. Samson, ... Capt.
135. Ellisville Invincibles, ... Samuel Prince, ... Capt.
136. True Confederates, ... Wm. T. Ward, ... Capt.
137. Raymond Fencibles, ... Wm. H. Taylor, ... Capt.
138. Charlie Clark Rifles, ... John J. McLane, ... Capt.
139. Satartia Rifles, ... E. R. Gale, ... Capt.
140. Lawrence Rifles, ... Robt. J. Bowen, ... Capt.
141. Sardis Blues, ... John R. Dickins, ... Capt.
142. Durant Rifles, ... John A. Cason, ... Capt.
143. Wm. E. Hanold's Co. G. 1st Reg. Cav.
144. Capt. P. B. Williams' Co. 7th Reg. Miss Vol.
145. Marrion's Men, ... Wm. J. Rankin, ... Capt.
146. Carroll Rifles, ... Phillip F. Liddell, ... Capt.

147. Shieldsboro Rifles, ...Robt. Eager, ...Capt.
148. Neshoba Rifles, ...A. H. Franklin, ...Capt.
149. Prairie Guards, ...J. T. W. Hairston, ...Capt
150. Noxubee Rifles, ...Geo. T. Wier, ...Capt.
151. Lamar Rifles, ...Francis M. Green, ...Capt.
152. Van Dorn Reserve, ...Wm. H. Moore, ...Capt.
153. Chickasaw Guards, ...W. F. Tucker, ...Capt.
154. Chunkey Heroes, ...W. B. Johnson, ...Capt.
155. Alcorn Rifles, ...J. J. Williams, ...Capt.
156. DeSota Grays, ...W. J. Boon, ...Capt.
157. Walker Reserves, ...Geo. M. Moseley, ...Capt.
158. Downing Rifles, ...Thos. A. Mellon, ...Capt.
159. Biloxi Rifles, ...J. W. Howard, ...Capt.
160. McWillie Blues, ...E. A. Peyton, ...Capt.
161. Sunflower Dispersers, ...Wm. H. Morgan, ...Capt.
162. Co. E. 39th Miss. Vol. S., ...L. H. Tillman, ...Capt.
162. Burt Avengers, ...Wm. E. Ross, ...Capt.
163. Dave Rogers Rifles, ...L. M. Lawshe, ...Capt.
164. Pleasant Mt. Rifles, ...M. W. Wilburn, ...Capt.
165. Rifle Scouts, ...J. M. Simonton, ...Capt.
166. Moorsville Darts, ...Meriman Pounds, ...Capt.
167. Miss. Yankee Hunters, ...A. S. Hamilton, ...Capt.
168. James Creek Vols., ...J. Fergurson, ...Capt.
169. Rube Davis Rebels, ...Wm. Young, ...Capt.
170. Co. G. 8th Reg. Miss. Vols., ...J. C. Knox, ...Capt.
171. Alcorn Rifles, ...J. J. Milam, ...Capt.
172. Westville Guards, ...G. J. D. Funches, ...Capt.
173. Summit Rifles, ...J. D. Blencoe, ...Capt.
174. East Miss. Grays, ...A. Y. Harper, ...Capt.
175. Quitman Rifles, ...N. L. Huff, ...Capt.
176. Jeff Davis Sharpshooters, ...Hamilton Myson, ...Capt.
177. Franklin Rifles, ...Wm. J. Proby, ...Capt.
178. Wigfall Rifles, ...Wm. F. Brantley, ...Capt.
179. Choctaw Rangers, ...R. C. Love, ...Capt.
180. Water Valley Riffle Guards, ...Burrell H. Collins, ...Capt.
181. Long Creek Rifles, ...L. S. Terry, ...Capt.
182. Miss. Rangers, ...John McGuirk, ...Capt.
183. Confederate Guards, ...W. S. Featherstone, ...Capt.
184. Panola Vindicators, ...Geo. T. Foote, ...Capt.
185. Buena Vista Rifles, ...F. L. Rogers, ...Capt.
186. C. W. Swears' Co. 17th Reg. Miss. Vols.
187. Burnsville Blues, ...M. D. Moreland, ...Capt.
188. Sam Benton Relief Rifles, ...B. G. Laurence, ...Capt.
189. W. S. Ivys' Co. 17th Reg. Miss. Vols.
190. Magnolia Guards, ...W. L. Duff, ...Capt.
191. Magnolia Guards, ...John W. Sayles, ...Capt.
192. Quitman Grays, ...W. D. Holder, ...Capt.
193. Pettus Rifles, ...Marmaduke Bell, ...Capt.
194. Rough and Ready, ...H. E. Williamson, ...Capt.
195. Noxubee Blues, ...A. E. Fant, ...Capt.
196. Noxubee Blues, ...R. W. Featherston, ...Capt.
197. Winston Rifles, ...Joseph A. Comfort, ...Capt.
198. Barry Guards, ...M. S. Womack, ...Capt.
199. Red Rovers, ...R. J. Armstrong, ...Capt.
200. Kemper Guards, ...A. T. Stennis, ...Capt.
201. T. C. K. Bosticks Co. 5th Reg. Miss Vols.
202. Scotland Guards, ...Z. Booth, ...Capt.
203. John Williams Co. 5th Reg. Miss. Vols.
204. New Prospect Grays, ...John Weir, ...Capt.

205. Bogue Chitto Rangers, ... J. M. Jackson, ... Capt.
206. Lauderdale Springs Grays, ... B. B. Smith, ... Capt.
207. 2nd Reg. Miss. Cav. Co. A., ... M. B. Parks, ... Capt.
208. 2nd Reg. Miss. Cav. Co. H., ... O. H. Pollard, ... Capt.
209. Co. G. 2nd Reg. Miss. Cav., ... T. L. Irby, ... Capt.
210. Co. F. 2nd Reg. Miss. T., ... J. A. Johnson, ... Capt.
211. Co. F. 2nd Reg. Miss. Cav., ... Robt. Crenshaws, ... Capt.
212. Co. A. 1st Bat., ... B. H. Estes, ... Capt.
213. Co. B., 1st Bat. Miss. C., ... T. F. M. Payne, ... Capt.
214. Co. C. 1st Bat. Miss. C., ... J. S. Burns, ... Capt.
215. Co. D. 1st Bat. Miss. C., ... W. L. White, ... Capt.
216. Co. E. 1st Bat. Miss. C., ... C. W. McVeill, ... Capt.
217. Co. E. 1st Bat. Miss. C., ... E. C. Bourland, ... Capt.
218. Co. F. 1st Bat. Miss. C., ... M. W. Howard, ... Capt.
219. Co. G. 1st Bat. Miss. C., ... S. T. Mayes, ... Capt.
220. Co. H. 1st Bat. Miss. C., ... J. T. Rees, ... Capt.
221. Co. A. 3d Reg., ... G. L. Berry, ... Capt.
222. Jake Thompson Guards, ... W. H. H. Tison, ... Capt.
223. Minute Men Co. B., ... A. H. Lamar, ... Capt.
224. Co. C. Miss. Vols., ... C. B. Buckner, ... Capt.
225. Co. D. Miss. Vols.. ..... Geo. T. Blackburn, ... Capt.
226. Hamilton Guards, ... W. A. Rorer, ... Capt.
227. Co. B. Miss. Vols.. ..... J. P. Scales, ... Capt.
228. Co. F. 1st Miss. Reg., ... Abram Greer, ... Capt.
229. Co. B. 3rd Miss. Cav., ... Wm. Thames, ... Capt.
230. Field and Staff 28th Reg. Miss. Vols. Cav.
231. Copiah Guards, ... W. J. Butler, ... Capt.
232. New Prospect Greys, ... Jno. Weir, ... Capt.
233. Co. A. Minute Men, ... B. F. Sutten, ... Capt.
234. Co. B. 1st Bat. Miss. C., ... John McRaney, ... Capt.
235. Co. C. 1st Bat. Miss. C., ... Robt. Lenair, ... Capt.
236. Co. E. 1st Bat. Miss. C., ... A. C. McClellan, ... Capt.
237. Co. I. 3rd Reg. Miss. C., ... John R. Owens, ... Capt.
238. Co. D. 3rd Reg. Miss. C., ... J. C. Harper, ... Capt.
239. Co. B. Miss. Vols., ... John Richardson, ... Capt.
240. Co. D. 1st Bat. Miss. C., ... J. M. Hall, ... Capt.
241. Co. B. 5th Reg. Miss. T., ... W. C. Parks, ... Capt.
242. Co. C. 1st Bat. Miss. C., ... Jas. M. Graham, ... Capt.
243. Co. E. 5th Reg., ... Jno. Lamkin, ... Capt.
244. Co. C. 3d Reg., ... J. W. Walker, ... Capt.
245. Co. I. 2nd Miss. C., ... W. T. Clarke, ... Capt.
246. Co. K. 2d Reg. Miss. C., ... J. R. Wallis, ... Capt.
247. Co. D. 2d Reg., ... J. A. Lowry, ... Capt.
248. Co. E. 3rd Bat., ... St. J. E. Janier, ... Capt.
249. Co. E. 2d Reg. Miss. C., ... E. M. Wells, ... Capt.
250. Co. D. 2d Reg. Miss. C., ... W. H. Wilson, ... Capt.
251. Co. K. 2d Reg. Miss. C., ... E. A. Bruton, ... Capt.
252. Co. B. 2d Reg. Miss. C., ... J. R. Watkins, ... Capt.
253. Co. D. 2d Reg., ... N. Barnes, ... Capt.
254. Co. K. 4th Reg. Miss. Vols., ... Henry Jamerson, ... Capt.
255. Green and Perry Squad 3d Bat., A. K. Brantley, ... Capt.
256. Co. A. 2d Reg. Miss. C., ... W. W. Rutherford, ... Capt.
257. Co. B. 2d Reg. Miss. C., ... J. R. Watkins, ... Capt.
258. Co. E. 5th Reg. Miss. T., ... John Stinson, ... Capt.
259. Co. B. 30 day Troop, ... W. M. Conner, ... Capt.
260. Co. A. 3d Bat. Troop T., ... B. F. Sims, ... Capt.
261. Co. C. 3d Bat. Miss. T., ... W. W. Calmes, ... Capt.
262. Co. F. 3d Bat. Miss. T., ... W. S. Harrington, ... Capt.
263. Co. G. 5th Reg. Miss. T., ... D. J. Ward, ... Capt.

264. 30 day men, Foote Reg., ...A. J. Holbert, ...Capt.
265. 30 days Infantry, ...W. S. Patton, ...Capt.
266. Co. B. 3d Bat. Miss. T., ...D. A. Thompson, ...Capt.
267. Co. H. 3d Reg. Miss. C., ...O. H. Pollard, ...Capt.
268. Thos. W. Ham's Miss. C., ...Thos W. Ham, ...Capt.
269. Co. E. 3d Reg. Miss. Minute Men, T. A. Mitchell, ...Capt.
270. Co. F. 5th Reg. Miss. Minute Men, J. A. Porter, ...Capt.
271. Co. I. 5th Reg. Miss. T., ...J. Seals, ...Capt.
272. Co. G. 5th Reg. M. M., ...D. J. Ward, ...Capt.
273. Co. H. 5th Reg. M. M., ...E. A. R. Fairly, ...Capt.
274. Co. I. 5th Reg. M. M., ...H. D. McLaurin, ...Capt.
275. Co. A. 3d Bat. M. M., ...B. F. Sims, ...Capt.
276. A. B. Cole's Co. Miss. C., ...A. B. Cole, ...Capt.
277. Co. A. Ashcraft's Bat., ...Jno. F. Storey, ...Capt.
278. Co. B. Ashcraft's Bat., ...J. S. Davis, ...Capt.
279. Co. E. 3d Bat., ...John Patton, ...Capt.
280. Co. C. Ashcraft's Bat., ...John C. Fears, ...Capt.
281. Co. D. Ashcraft's Bat., ...E. L. Hankins, ...Capt.
282. Co. A. 5th Reg. M. M., ...M. Carletan, ...Capt.
283. Co. B. 5th Reg. M. M., ...Wm. C. Porter, ...Capt.
284. Co. C. 5th Reg. M. M., ...D. Maggard, ...Capt.
285. Co. D. 5th Reg. M. M., ...F. M. Eckford, ...Capt.
286. Co. E. 5th Reg. M. M., ...J. W. Harman, ...Capt.
287. Co. B. 3d Bat. M. M., ...D. A. Thompson, ...Capt.
288. Co. C. 3d Bat. Miss. T., ...J. B. Hudson, ...Capt.
289. Co. G. 3d Bat. Miss. T., ...Joseph Robard, ...Capt.
290. Co. C. 3d Bat. M. M., ...E. W. Lacey, ...Capt.
291. Co. C. 3d Bat. Miss. T., ...J. B. Anderson, ...Capt.
292. Co. E. 3d Bat. M. M., ...J. U. Ervin, ...Capt.
293. Rocky Point Rifles, ...T. J. Love, ...Capt.
294. Leake Guards, ...J. A. Campbell, ...Capt.
295. Lescington Guards, ...Leigh R. Page, ...Capt.
296. Lodi Company, ...Thos. H. Adair, ...Capt.
297. Liberty Guards, ...S. J. W. Nix, ...Capt.
298. New Guards. .....C. McLaurin, ...Capt.
299. Herndon Rangers, ...W. E. Montgomery, ...Capt.
300. Co. A. 3d Reg. Miss. C., ...T. J. Kyle, ...Capt.
301. Co. 3d Reg. Miss. C., ...W. Guartny, ...Capt.
302. Co. O. 3d Reg. Miss. C. .....Jno. W. Logan, ...Capt.
303. 3d Reg. Miss. C., ...E. L. Richmonds, ...Capt.
304. Co. E. 3d Reg. Miss C., ...T. M. Griffin, ...Capt.
305. Co. F. 3d Reg. Miss. C., ...Jas. G. Kennedy, ...Capt.
306. Co. G. 3d Reg. Miss. C., ...S. J. Daniel, ...Capt.
307. Co. H. 3d Reg. Miss. C. .....J. L. Brannon, ...Capt.
308. Co. I. 3d Reg. Miss. C., ...C. W. Orr, ...Capt.
309. Co. K. 3d Reg. Miss. C., ...R. H. Turner, ...Capt.
310. Co. E. 3d Bat., ...John Patton, ...Capt.
311. Co. Harris Bat. .....S. H. Wood, ...Capt.
312. Co. F. Ashcraft Bat., ...C. F. Kohlhein, ...Capt.
313. Unattached Miss. C., ...Thos. Rye., ...Capt.
314. Co. A. unattached, ...W. T. Stricklin, ...Capt.
315. Co. C. Harris Bat., ...James Moore, ...Capt.
316. Co. C. Ashcraft's Bat., ...Jno. L. Fears, ...Capt.
317. Co. E. 2d Reg. Miss. C., ...E. M. Wells, ...Capt.
318. Co. B. 2d Reg., ... William K. Posey, ...Capt.
319. Co. R. 2d Reg. Miss. C., ...Lt. Lowring, ...Capt.
320. Perrin's Bat., ...Charles M. Thomas, ...Capt.
321. Perrin's Bat. C., ...W. L. Walker, ...Capt.
322. Quitman Southerns, ...Wm. M. Hall, ...Capt.

323. Red Rebels, ... D. J. Red, ... Capt.
324. Pettus Guards, ... Saml. J. Randle, ... Capt.
325. Hinds Light Guards, ... Geo. W. Elliott, ... Capt.
326. Warren Rifles, ... N. C. Harris, ... Capt.
327. Co. H. 3d Reg. Miss. M. M., ... A. T. Davis, ... Capt.
328. Co. G. 2d Reg. Miss. C., ... G. Isbell, ... Capt.
329. Co. H. 2d Reg. Miss. T., ... M. B. Parks, ... Capt.
330. Co. G. 1st Miss. Reg., ... C. Hardy, ... Capt.
331. Co. F. 3d Reg., ... B. W. Tradewell, ... Capt.
332. Co. G. 3d Reg., ... T. J. Kyle, ... Capt.
333. Co. H. 3d Reg., ... Thos. N. Davis, ... Capt.
334. Co. I. 3d Reg., ... H. O. Stone, ... Capt.
335. Co. R. 3d Reg., ... W. G. Turner, ... Capt.
336. Live Oak Rifles, ... J. B. McRae, ... Capt.
337. Lowndes Rifles, ... Geo. H. Lipscomb, ... Capt.
338. Co. E. 28th Reg., ... E. J. Shelby, ... Capt.
339. Co. D. 28th Reg., ... Geo. T. Blackburn, ... Capt.
340. Co. A. Peyton's Bat. C., ... J. W. Pierce, ... Capt.
341. Co. A. Peyton's Bat. C., ... W. B. Yerger, ... Capt.
342. Co. A. Peyton's Bat. C., ... Francis A. M. Little, ... Capt.
343. Co. A. Peyton's Bat. C., ... B. G. Cooper, ... Capt.
344. Co. C. 28th Reg. C., ... C. B. Buckner, ... Capt.
345. Co. C. 28th Reg. C., ... Jno. B. Tucker, ... Capt.
346. Co. B. 28th Reg. C., ... G. C. Woods, ... Capt.
347. Co. E. 28th Reg. C., ... Croon Bellamy, ... Capt.
348. Singleton Guards, ... S. R. Sheppard, ... Capt.
349. Brownsville Company, ... A. L. Brown, ... Capt.
350. Co. C. 28th Reg. C., ... C. B. Buckner, ... Capt.
351. Forest Guards, ... T. B. Graham, ... Capt.
352. Co. C. 1st Bat. C., ... S. M. Gates, ... Capt.
353. Co. F. 2d Reg. Miss. C., ... Jos. A. Johnson, ... Capt.
354. Co. G. 1st Bat. Miss. C., ... S. T. May, ... Capt.
355. Co. F. 1st Bat. Miss. C., ... J. C. Zelstrop, ... Capt.
356. Co. D. 1st Bat. Miss. C., ... W. L. White, ... Capt.
357. Co. B. 2d Reg. Miss. C., ... W. K. Posey, ... Capt.
358. Pontotoc Mounted Men, ... A. B. Coles, ... Capt.
359. Co. E. 2d Reg. Miss. C., ... E. N. Wells, ... Capt.
360. Co. C. 2d Reg. Miss. C., ... William Kilpatrick, ... Capt.
361. Co. K. 2d Reg. Miss. C., ... J. R. Wallis, ... Capt.
362. Co. E. 1st Bat. Miss. C., ... C. W. McNeill, ... Capt.
363. Co. F. 1st Bat. Miss. C., ... T. F. M. Payne, ... Capt.
364. Co. B. Miss. C., ... J. B. Grace, ... Capt.
365. Co. A. 1st Bat. I., ... James Marshall, ... Capt.
366. Co. D. 1st Bat. I., ... Jos. Eakens, ... Capt.
367. Co. A. 1st Bat. Miss. C., ... N. W. Tee, ... Capt.
368. Co. D. 1st Bat. C., ... Geo. J. Mortimer, ... Capt.
369. Co. E. 1st Bat. Miss. C., ... A. E. McClellan, ... Capt.
370. Co. C. 1st Bat. Miss. C., ... R. D. Lanier, ... Capt.
371. Co. B. 1st Bat. Miss. C., ... Jno. McRainy, ... Capt.
372. Co. A. 28th Reg. Miss. Vols., ... J. T. McBee, ... Capt.
373. Co. A. 28th Reg. Miss. C., ... W. H. Ray, ... Capt.
374. Dixie Boys, ... L. S. Clayton, ... Capt.
375. Mississippi Boys, ... Wm. S. Patton, ... Capt.
376. Natchez Light Infantry, ... Harry Lathrop, ... Capt.
377. Corinth Minute Men, ... J. C. Potts, ... Capt.
378. Muckabusha Guards, ... H. M. Walsh, ... Capt.
379. Outlaw Guards, ... J. C. Rogers, ... Capt.
380. Locke Houston Aids, ... W. A. Higgason, ... Capt.
381. Rube Davis Guards, ... B. F. McWhorter, ... Capt.

382. Tishamingo Reapers, ...J. C. Hodges, ...Capt.
383. Lowrey Guards, ...M. P. Lowrey, ...Capt.
384. Mary Davis Guards, ...J. M. Burton, ...Capt.
385. Corona Guards, ...W. R. Nelson, ...Capt.
386. Saltillo Rangers, ...B. McManus, ...Capt.
387. Kemper Blues, ...H. J. Gulley, ...Capt.
388. Winston Brothers, ...H. L. Halfacer, ...Capt.
389. Hatchie Rifles, ...M. Nelms, ...Capt.
390. Dixie Guards, ...Michael Cox, ...Capt.
391. Tippah Rebels, ...A. C. Rucker, ...Capt.
391. Mississippi Confederates, ...J. L. Slaughter, ...Capt.
392. Chickasaw Rough and Readies, J. L. S. Hill, ...Capt.
393. Johnson Guards, ...J. P. Johnson, ...Capt.
394. R. Davis Rebels, ...J. R. Wren, ...Capt.
395. Tishomingo Rangers C., ...Wm. M. Inge, ...Capt.
396. Tombigbee Rangers C., ...Saml. F. Butler, ...Capt.
397. Thompson Cavalry, ...A. J. Bowles, ...Capt.
398. Pontotoc Dragoons C., ...Jno. H. Miller, ...Capt.
399. Southern Guards C., ...R. O. Perrin, ...Capt.
400. Salem Cavalry, ...James G. Hamer, ...Capt.
401. Copiah Horse Guards C., ... T. A. Graves, ...Capt.
402. Chicasaw Rangers, ...Jas. Gordon, ...Capt.
403. Carroll Rangers C., ...C. F. Hudson, ...Capt.
404. Chulahoma Cavalry, ...Richard P. Bowen, ...Capt.
405. Adam's Troop C., ...Wm. P. Martin, ...Capt.
406. Noxubee Cavalry, ...H. W. Foote, ...Capt.
407. Bolivar Troop C., ...F. A. Montgomery, ...Capt.
408. Bolivar Greys, ...M. B. Shelby, ...Capt.
409. Co. A. 3d Bat. Miss. C., ...D. G. Cooper, ...Capt.
410. Co. F. 28th Reg. Miss. C. .....W. W. Keith, ...Capt.
411. Co. B. Ballentine's Cavalry, ...C. S. Davis, ...Capt.
412. Field and Staff Ballentine's Cavalry.
413. Co. A. Ballentine's Cav., ...R. R. Brewer, ...Capt.
414. Co. C. Ballentine's Cav., ...Ed. E. Porter, ...Capt.
415. Co. D. Ballentine's Cav., ...J. A. Anderson, ...Capt.
416. Co. E. Ballentine's Cav., ...W. W. McDowell, ...Capt.
417. Co. F. Ballentine's Cav., ...A. M. Reasons, ...Capt.
418. Co. G. Ballentine's Cav., ...A. Balfour, ...Capt.
419. Co. H. Ballentine's Cav., ...S. C. Blackwell, ...Capt.
420. Co. I. Ballentine's Cav., ...W. S. Eskridge, ...Capt.
421. Co. K. Ballentine's Cav., ...R. H. Taylor, ...Capt.
422. Co. A. 1st Reg. Cav., ...Jas. Smith, Corpl., ...Com.
423. Co. D. 2d Reg. Miss. C., ...Jas. Ruffin, ...Com.
424. Escort Brig. Jackson's Cav. Div., Jas. Y. Webb, ...Com.
425. Co. E. 2d Reg. Miss. C., ...J. B. Vance, ...Com.
426. Co. K. 3d Reg. Miss. C., ...W. H. Quarles, ...Com.
427. Co. C. 3d Reg. Miss. C., ...H. V. Barr, ...Com.
428. Co. D. 3d Reg. Miss. C., ...J. C. Harper, ...Com.
429. Co. E. 3d Reg. Miss. C., ...W. J. Butler, ...Com.
430. Co. F. 3d Reg. Miss. C., ...B. F. Martin, ...Com.
431. Co. H. 3d Reg. Miss. C., ...W. W. Pierce, ...Com.
432. Co. I. 3d Reg. Miss. C., ...Jno. R. Owen, ...Com.
433. Co. A. 3d Reg. Miss. C., ...A. Speer, ...Capt.
434. Co. K. 2d Reg. Miss. C., ...T. J. Burkes, ...Capt.
435. Field and Staff and Band 2d Reg. Miss. Cav.
436. Co. 1st Bat. C., ...S. B. Hammond, ...Capt.
437. Roster of Officers 4th Miss. Cav.
438. Co. A. 36th Reg., ...Thos. J. Chrisler, ...Capt.
439. Co. B. 36th Reg., ...I. V. Enochs, ...Capt.

440. Co. C. 36th Reg., ... C. P. Partin, ... Capt.
441. Co. D. 36th Reg., ... J. S. Talton, ... Capt.
442. Co. E. 36th Reg., ... Jno. W. Ward, ... Capt.
443. Co. F. 36th Reg., ... Jno. R. Owens, ... Capt.
444. Co. G. 36th Reg., ... L. B. Harris, ... Capt.
445. Co. H. 36th Reg., ... J. N. Jackson, ... Capt.
446. Co. I. 36th Reg., ... R. D. Ogletree, ... Capt.
447. Co. K. 36th Reg., ... J. M. Fulgham, ... Capt.
448. Tallahatchie Rifles, ... W. H. Fitzgerald, ... Capt.
449. Jeff Davis Sharpshooters, ... Hamilton Mayson, ... Capt.
450. Co. C. 2d Bat. Miss. T., ... B. S. Pattison, ... Capt.
451. Calhoun Avengers, ... J. R. M. Duberry, ... Capt.
452. Chicasay Desperadoes, ... J. S. Terrall, ... Capt.
453. Swamp Rangers, ... W. A. Percy, ... Capt.
454. Falkner Guards, ... Robt. J. Hill, ... Capt.
455. Co. Perrin's Bat. C., ... M. A. Metts, ... Capt.
456. Stevens Guards, ... R. D. Palmer, ... Capt.
457. Co. H. 1st Bat. I., ... Robt. Noblin, ... Capt.
458. J. R. Allen's Co. Cav.
459. Home Guards, ... Jas. C. Barry, ... Capt.
460. Co. K. M. M., ... J. Lawhorn, ... Capt.
461. Co. B. 31st Reg. Miss. Vols., ... J. P. Scales, ... Capt.
462. Mississippi Greys, ... J. S. Prestidge, ... Capt.
463. Gainsville Volunteers, ... J. B. Deason, ... Capt.
464. Greysport Greys, ... Kershaw Williams, ... Capt.
465. Sons of the South, ... Wm. Sumner, ... Capt.
466. Adams Rifles, ... F. W. Adams, ... Capt.
467. Clark County Rangers, ... J. T. Gates, ... Capt.

Roll of Fifth Regiment, Mississippi State Troops.

468. Co. A., ... M. Carlton, ... Capt.
469. Co. B., ... William C. Porter, ... Capt.
470. Co. C., ... Jno. Stinson, ... Capt.
471. Co. D., ... S. A. Kidd, ... Capt.
472. Co. E., ... John Lampkin, ... Capt.
473. Co. F., ... J. A. Porter, ... Capt.
474. Co. G., ... D. J. Ward, ... Capt.
475. Co. H., ... A. R. Farley, ... Capt.
476. Co. I., ... J. Seale, ... Capt.

Third Battalion.

477. Co. A., ... B. F. Sims, ... Capt.
478. Co. B., ... J. Seale, ... Capt.
478. Co. B., ... D. A. Thompson, ... Capt.
479. Co. C., ... W. W. Calmus, ... Capt.
480. Co. D., ... Webb Ruffin, ... Capt.
481. Co. E., ... J. E. Joiner, ... 1st Lt.
482. Co. F., ... W. S. Harrington, ... Capt.
483. Black Hawk Rifles, ... H. J. Reed, ... Capt.
484. Holmesville Guards, ... J. T. Lampkin, ... Capt.
485. Wayne Rifles, ... W. J. Eckford, ... Capt.
486. Franklin Beauregards, ... Daniel H. Parker, ... Capt.
487. Co. F. M. M., ... A. H. Evans, ... Capt.
488. Co. I. 2d Reg. Miss. C., ... S. F. Kendrick, ... Capt.
489. Co. H. 2d Miss. C., ... J. B. Hall, ... Capt.
490. Co. F. 2d Reg. Miss. C., ... J. W. Hogan, ... Capt.
491. Co. A. 2d Reg. Miss. C., ... J. A. R. Shannon, ... Capt.

492. Co. B. 2d Reg. Miss. C., ... M. E. Blalock, ... Capt.
493. Co. C. 2d Reg. Miss. C., ... Wm. A. Rogers, ... Capt.
494. Amite Rifles, ... Benj. F. Johns, ... Capt.
495. Co. A. Davenport's Bat., ... H. B. Brown, ... Capt.
496. Co. B. Davenport's Bat., ... W. P. Pardue, ... Capt.
497. Co. C. Davenport's Bat., ... C. H. Carter, ... Capt.
498. Co. A. Blythe's Bat., ... S. T. Walker, ... Capt.
499. Co. B. Blythe's Bat., ... S. T. Martin, ... Capt.
500. Raymond M. M., ... N. H. Bradley, ... Capt.
501. Co. B. 1st Bat. I., ... B. F. Sutton, ... Capt.

Ham's Regiment, Gholson Brigade.

502. Co. A., ... B. H. Estes, ... Capt.
503. Co. B., ... T. F. M. Payne, ... Capt.
504. Co. C., ...
505. Co. D., ... W. L. White, ... Capt.
506. Co. E., ... C. W. McNeill, ... Capt.
507. Co. F., ... M. W. Howell, ... Capt.
508. Co. G., ... L. T. Mayes, ... Capt.
509. Field and Staff 1st Bat. Miss. State Cav. Ham's Reg.
510. Co. F. 3d Reg. Miss. C., ... B. F. Martin, ... Capt.
512. Ashcraft's Cav. Reg. Gholson's Brig.
513. Calhoun M. M., ... John P. McLarty, ... Capt.
514. Jasper County M. M., ... William C. Porter, ... Capt.
515. Pontotoc M. M., ... John T. Weatherall, ... Capt.
516. Lowndes County M. M., ... Jeptha V. Harris, ... Capt.
517. Prairie Riflemen, ... J. Byrd Williams, ... Capt.
518. Palo Alto Confederates, ... D. F. Coopwood, ... Capt.
519. Iuka Rifles, ... J. M. Stone, ... Capt.
520. New Albany Greys, ... R. N. Flournoy, ... Capt.
521. Co. E. 2d Bat. Miss. S. T., ... J. W. Goodrun, ... Capt.
522. Oktibbeha Plough Boys, ... J. M. Watson, ... Capt.
523. Field and Staff 28th Reg. Miss. Cav.
524. Standing Pine Guards, ... J. R. Childres, ... Capt.
525. Holmes County M. M., ... B. W. Treadwell, ... Capt.
526. Partizan Rangers, ... B. C. Herndon, ... Capt.
527. Claiborne Rangers, ... T. T. Moore, ... Capt.
528. Barksdale Greys, ... J. M. Watson, ... Capt.
529. Alcorn Rifles, ... B. F. Saunders, ... Capt.
530. Co. G. 1st Bat. Inf., ... J. J. Lamar, ... Capt.
531. Monroe Volunteers, ... Saml. J. Gholson, ... Capt.
532. Miss. Yankee Hunters, ... A. S. Hamilton, ... Capt.
533. Morton Pine Knots, ... Thomas F. Pettus, ... Capt.
534. Horn Lake Volunteers, ... Jno. U. Foster, ... Capt.
535. Pope Guards, ... J. J. Houston, ... Capt.
536. Panola Vindicators, ... Geo. P. Foote, ... Capt.
537. President Davis Guard, ... J. M. Macon, ... Capt.
538. Port Gibson Rifles, ... William McKeever, ... Capt.
539. Pettus Relief, ... Merry B. Harris, ... Capt.
540. Independent Rangers, ... D. C. Herndon, ... Capt.
541. Lowry's Cav. Reg. Gholson's Brig.
542. List of Soldiers in Confederate and State Service from Lowndes Co. Miss.
543. Columbus Riflemen Co. K. 14th Miss.
544. Prairie Guards 11th Miss.
545. Abert Guards Co. I. 45th Miss.
546. Lowndes Southrons 10th Miss.
547. Rangers 10th Miss.
548. Southern Avengers 10th Miss.

549. Billup's Forester's 2d Ala. and Miss. Bat.
550. Cozart Cavalry 2d Ala. and Miss. Bat.
551. Caledonia Rifles Dowd's Miss. Reg.
552. Co. H. 35th Miss.
553. Co. B. 43d Miss.
554. Capt. Humphrey's Company.
555. Co. C. 35th Miss.
556. Gilmore Guards Co. F. 35th Miss.
557. Co. D. 3d Bat. S. T.
558. List of Conscripts in Service Confederate States from Lowndes Co.
559. 2d Reg. of Inf. G. C. Chandler, Col.
560. *Final Statements touching deceased Soldiers from Miss. of the following Regiments:*
561. 11th Miss. Reg.
562. 20th Miss. Reg.
563. 19th Miss. Reg.
564. 34th Miss. Reg.
565. 2d Miss. Reg.
566. 17th Miss. Reg.
567. 16th Miss. Reg.
568. 14th Miss. Reg.
569. 15th Miss. Reg.
570. 3d Miss. Reg.
571. 24th Miss. Reg.
572. 23d Miss. Reg.
573. 27th Miss. Reg.
574. 35th, 36th, 37th, 38th Miss. Reg.
575. 9th and 10th Miss. Reg.
576. 45th Miss. Reg.
577. 44th Miss. Reg.
578. 43d Miss. Reg.
579. 42d Miss. Reg.
580. Final Statement of Cavalry Regiments.
581. 48th Miss. Reg.
582. 46th Miss. Reg.
583. Sundry Regiments.
584. Sundry Regiments.
586. 18th Miss. Reg.
587. 21st Miss. Reg.
588. 4th Miss. Reg.
589. 5th Miss. Reg.
590. 22d Miss. Reg.
591. 7th Miss. Reg.
592. 39th Miss. Reg.
593. 40th Miss. Reg.
594. 41st Miss. Reg.
595. 1st Light Artillery.
596. 6th Miss. Reg.
597. Sundry Light Batteries.
598. Sundry Cav. Regiments.

The above named statements were prepared by Col. J. L. Power, Superintendent of Army Records for Mississippi, and seem to be complete. They were evidently made in Richmond during the winter of 1864-65, and contain names of soldiers, rank, company, captains of companies, age, nativity, occupation, when

enlisted, where enlisted, when died, where died, cause of death and postoffice address.

These records contain valuable historical data relative to deceased Confederate soldiers from Mississippi, beginning the first and ending the last year of the war.

599. Col. John McGuirk's Cavalry Regiment.
600. 1st Bat. S. T. Major, ...W. E. Montgomery, ...Com.
601. Wilkinson Guards, Co. D. 38th Miss. Inf., J. H. Jones, ...Capt. with historical memoranda.
602. Smith Rifles, ...E. W. Smith, ...Capt.
603. Sons of Liberty, ...J. B. Huddleston, ...Capt.
604. Tippah Rebels, ...A. C. Rucker, ...Capt.
605. Tippah Rangers, ...John Y. Murry, ...Capt.
606. Cold Water Rebels, ...A. T. Walton, ...Capt.
607. Dixie Guards, ...D. B. Wright, ...Capt.
608. Goodman Guards, ...Thos. A. Falconer, ...Capt.
609. Capt. H. J. Bowen's Company.
610. Tippah Farmers, ...Granville A. Woods, ...Capt.
611. Rankin Greys, ...L. D. Rhodes, ...Capt.
612. Sundry Rosters of 16th Miss Vols.
613. Copiah Horse Guards, ...T. A. Graves, ...Capt.
614. Goode Rifles, ...E. J. Goode, ...Capt.
615. Rodney Guards, ...Samuel D. Russell, ...Capt.
616. Jackson Co. M. M., ...Jas. N. Daniel, ...Capt.
617. Co. C. 3d Reg., ...T. Mitchell, ...Capt.
618. Co. D. 3d Reg., ...H. H. Barksdale, ...Capt.
619. Co. C. 3d Reg., ...H. H. Hill, ...Capt.
620. Co. B. 3d Reg., ...G. P. Lake, ...Capt.
621. Co. A. 3d Reg., ...G. L. Berry, ...Capt.
622. Co. F. 3d Reg., ...B. W. Tradewill, ...Capt.
623. Co. G. 3d Reg., ...T. J. Kyle, ...Capt.
624. Co. I. 3d Reg., ...H. O. Stone, ...Capt.
625. Jasper Guards, ...A. F. Dantzler, ...Capt.
626. Pinkney Guards 8th Reg., ...G. G. Flint, ...Capt.
627. Kossuth Volunteers, ...R. B. Allen, ...Capt.
628. Carroll Guards, ...R. R. Russell, ...Capt.
629. B. D. Gambling's Co. S. T.
630. Covington Rifles, ...John T. Fairley, ...Capt.
631. Choctaw Greys, ...T. B. Ford, ...Capt.
632. D. J. Ward's Co. 5th Reg. 4th Brig.
633. Long Creek Rifles, ...R. J. Sallis, ...Lt.
634. Blythe Rifles, ...A. K. Blythe, ...Capt.
635. Brownsville Blues, ...M. D. Mooreland, ...Capt.
636. Coahoma Invincibles, ...Sam L. Delaney, ...Capt.
637. Covington Fencibles, ...H. R. McLaurin, ...Capt.
638. Wm. P. Maxey's Co. Mounted Inf.
639. Minute Men of Attala, ...L. D. Fletcher, ...Capt.
640. Franklin Rebels, ...T. P. Hall, ...Capt.
641. Capt. James Conerly's Co. of M. M.
642. Covington Farmers, ...N. Barnes, ...Capt.
643. Leake Reserves, ...J. M. Graham, ...Capt.
644. Marion Greys, ...W. A. Lenoir, ...Capt.
645. Carroll County Militia, ...J. W. Walker, ...Capt.
646. Minute Men of Amite Co., ...T. W. Gray, ...Capt.
647. Zollicoffer Avengers, ...Henry T. Siebe, ...Capt.
648. Mt. Zion Guards, ...T. J. Christian, ...Capt.

649. Harper's Reserves, ...C. T. Partin, ...Capt.
650. Copiah Rebels, ...L. B. Harris, ...Capt.
651. Hillsboro Rebels, ...T. J. Denson, ...Capt.
652. Edward's Tigers, ...S. K. Smith, ...Capt.
653. Dixie Guards, ...D. J. Brown, ...Capt.
654. Hazlehurst Fencibles, ...J. W. Ward, ...Capt.
655. Steven Guards, ...R. D. Oggletree, ...Capt.
656. Noxubee Guards, ...T. J. Koger, ...Capt.
657. New Guard, Rankin Co., ...C. McLaurin, ...Capt.
658. Pontotoc Dragoons, ...John H. Miller, Sr., ...Capt.
659. Biloxi Rifles, ...Jno. D. Howard, ...Capt.
670. Gainsville Volunteers, ...J. B. Deason, ...Capt.
671. Tolson Guards, ...G. P. Peake, ...1st Lt.
672. Yazoo Independent Rangers, ...H. C. Tyler, ...Capt.
673. Co. A. 2d Batl., ...W. L. Johnston, ...Capt.
674. Amite Guards, ...Hiram Morgan, ...Capt.

Record and Historical Memoranda of the Following Companies.

675. Noxubee Rifles Co. F. 11th Reg. Miss. Vols. 12 pages.
676. Co. C. 26th Miss., B. F. Williams, Capt. 12 pages.
677. Co. D. 26th Miss. 12 pages.
678. Liberty Guards Co. L. 2d Reg., Robt. Story, Capt. 12 pages.
679. Co. K. 26th Miss. Reg., D. J. Kiger, Capt. 12 pages.
680. Co. A. 26th Miss. Reg. 12 pages.
681. Co. B. 26th Miss. Reg., D. L. Gallaher, Capt. 12 pages.
682. Co. H. 26th Miss. Reg., J. F. Gresham, Capt. 12 pages.
683. Co. G. 26th Miss. Reg., T. F. Parker, Capt. 12 pages.
684. Co. F. 26th Miss. Reg. 12 pages.
685. Co. E. 26th Miss. Reg. 12 pages.

The above records contain a succinct narrative of organization, and service, stations, marches and battles of the companies named, together with a detailed statement of each and every member of the companies.

686. Historical Roll of Capt. Wm. T. Ratlif's Battery Withers Art.
687. Historical Roll Samuel J. Ridley's Battery Withers Art.
688. Historical Roll of Capt. Stansel's Co. E.
689. Historic Roll of L. A. Collier Co. C.
690. Historic Roll of Thos. J. Candace Co. A. 8th Miss. Cav.
691. Historic Roll of Chas. W. Johnston Co. C. 8th Miss. C.
692. Historic Roll of Co. D. 5th Miss. Inf.
693. Historic Roll of Co. C. 1st Miss. Light Art.
694. Historic Roll of Co. K. 1st Miss.
695. Historic Roll of Co. F. 1st Miss.
696. Historic Roll of Co. I. 1st Miss.
697. Historic Roll of Co. A. Miss. Reserves.
698. Historic Roll of Co. I. Wirt Adams Reg.
699. Historic Roll of Mixed Ala. and Miss. Reg.
700. Historic Roll of Co. D. 1st Reg.
701. Historic Roll of Co. E. 1st Reg.
702. Historic Roll of Co. F. Miss. Alcorn Rifles.

Historic Rolls.

703. Co. C. 4th Cav.
704. 26th Reg. Miss. Troops.
705. The following bound volumes are among the military records of the State:
706. General Order Book of the Army of Miss. near Pensacola, Florida. 300 pp.
707. General Order Book of the Army of Miss. near Pensacola, Florida. 400 pp.
708. Report of Guard Mounted at Camp Davis, Camp Phillips, Ft. McRee. 300 pp.
709. Consolidated Monthly Morning Reports of the 10th Reg. Miss. Vols. 25 pp.
710. Morning Reports 2d Brig. Army of Ten Thousand Miss. Vols. 50 pp.
711. Morning Reports 4th Brig. Miss. Vols. 100 pages.
712. Receipt Book of Col. Wm. Barksdale Qr. Master Genl. Army of Miss. 50 pp.
713. General Order Book Wither's Light Art. Reg. 500 pages.
714. Morning Reports of 10th Reg. Miss. Vols. at Camp Phillips.
715. General Orders 10th Miss. Vols.

In addition to the above military records, rosters, rolls, order books, &c., there is a large mass of miscellaneous military papers and documents which cannot be tabulated at this time. All that can be done now is to give some idea of the nature of these collections.

Miscellaneous Military Papers.

716. Quarterly Returns of Genl. A. M. West, Q. M. Genl. 2d quarter 1863. 50 titles.

Returns and Accounts of Quartermaster-General's Department.

717. Abstract of payments and vouchers for 3d qr. 1862. 75 titles.
718. Remarks on money and property accounts. 50 titles.
719. Account current qr. ending Sept. 30th, 1863. 65 titles.
720. Quarterly returns March 31st, 1864. 75 titles.
721. Report and vouchers of O. Davis. 40 titles.
722. Account current for 4th quarter, Dec. 31st, 1862.
723. Quarterly returns for quarter ending Sept. 30th, 1863. 40 titles.
724. Report of Commissary stores 1st qr., 1863. 50 titles.
725. Returns and accounts 1st qr., 1862. 30 titles.
726. Monthly reports 76. Monthly reports 1st and 2d quarters, 1863. 25 titles.
727. Accounts and vouchers 1st quarter, 1862. 25 titles.
728. Quarterly report of Maj. A. E. Love, Qr. Master. 50 titles.
729. Abstract of payments for ordnance, 4th quarter, 1862. 25 titles.
730. Accounts and vouchers 3d quarter, 1862. 50 titles.
731. Report of Quarter-Master stores 1st Qr., 1863. 50 titles.
732. Accounts and vouchers of Miss. Central R. R. with State of Miss., Sept. 24, 1862. 50 titles.
733. Package of transportation orders for soldiers on Mobile & Ohio R. R.
734. Package of provision returns, 1862. 75 titles.
735. Quarterly report of Subsistance Dept. for 2d, 3d and 4th qrs., 1863. 25 T.
736. Report of J. L. Milton, on Qr. Master stores for 3d and 4th qrs., 1864. 40 T.

737. Abstract of payments for ordnance for third qr., 1862. 50 titles.
738. Quarterly returns for second qr., 1864. 25 titles.
739. Abstract for the 4th qr., 1862. 50 titles.
740. Orders for transportation of soldiers on Southern R. R. 50 titles.
741. Orders for transportation for soldiers on Miss. Central R. R. 50 titles.
742. Lists of disabled soldiers from various counties. 25 titles.
743. Return of Camp and Garrison equipage 1st Qr., 1863. 50 titles.
744. Paymaster Accounts Army of Miss., 1861-62. 50 titles.
745. Abstract of vouchers forwarded to Richmond, Jan. 1?th, 1865.
746. Accounts for transportation on Southern R. R. 25 titles.
747. Returns of provisions received issued, and on hand, Aug. 30th, 1863.
748. Returns of Qr. M. Stores, March 21st, 1863. 25 titles.
749. Return of provisions received and issued for qr. ending Mar. 31, 1864. 25 titles.
750. Quarterly returns of Qr. Master stores, received and issued for 1st, 2d and 3d quarter, 1864. 25 titles.
751. Report of persons liable to military duty in Attala Co., Miss.
752. Returns for 4th Qr., 1862. 20 titles.
753. Account for Qr. ending Oct. 26th, 1864.
754. Returns for 4th qr., 1863.
755. Orders for transportation for soldiers on Miss. Central R. R. 100 titles.
756. Report on forage consumed first, second and third qr., 1863.
757. Package of special requisitions. 50 titles.
758. Requisitions for ordnance stores, for various commands, 1864. 100 T.
759. Package miscellaneous military papers. 100 titles.
760. Military telegrams.
761. Quarterly returns of subsistance, ordnance and paymaster's departments second and third quarters, 1864. 50 titles.
762. Package of miscellaneous military papers. 100 titles.
763. Orders for transportation on various R. R. within the State. 100 titles.
764. Return of quartermaster's and subsistance stores and paymaster's department 4th quarter, 1862. 50 titles.
765. Report of ordnance third quarter, 1862.
766. Department vouchers, paymaster, 1862. 100 titles.
767. Reports for sales by State's cotton agents. 50 titles.
768. Abstract of forage issued, quarter ending Sept. 30th, 1863. 50 titles.
769. Package of miscellaneous military papers. 50 titles.
770. Same as above, 50 titles.
771. Report of Qr. Master's stores quarter ending Sept. 30th, 1862. 50 titles.
772. Report of Qr. Master's and subsistance stores, qr. ending June 30th, 1863. 50 titles.
773. Package of miscellaneous military papers. 100 titles.
774. Package of miscellaneous military papers. 100 titles.
775. Package of miscellaneous military papers. 100 titles.

Official Correspondence of the Adjutant-General's Office and Other Official Papers.

This mass of material consists of election returns, of officers commanding companies, letters from various officers in the field, military telegrams, and orders, and seems to be a full and complete record of the enlistment and organization of the Army of Mississippi previous to its enlistment into the Confederate States

service. It is estimated that this material contains 3,000 titles. It would be needless here to attempt a detailed description. Some idea, however, may be had of its general character by a statement of labels and titles on the various bundles.

776. Package of certificates of amounts due deceased soldiers in C. S. Army. 100 titles.
777. Package of letters, telegrams and &c. 100 titles.
778. Package of letters, telegrams and &c. 100 titles.
779. Papers and correspondence appertaining to Genl. Gholson's command. 150 titles.
780. Package of letters from officers in the field. 200 titles.
781. Package of miscellaneous military papers. 100 titles.
782. Package of misceellaneous military papers. 200 titles.
783. Package of original muster rolls and certificates of elections. 100 T.
784. Correspondence with War Department, Richmond. 200 titles.
785. Inventories of effects of deceased soldiers. 100 titles.
786. Package of military papers.
787. Morning Reports. 100 titles.
788. Package of miscellaneous military papers.
789. Reports of Court-Martial and miscellaneous papers. 50 titles.
790. Package of miscellaneous military papers.
791. Lists of companies of various regiments.
792. Package of morning reports. 100 titles.
793. 5 packages of miscellaneous military papers.

The foregoing examination of the Confederate War Records of the State is as full as a preliminary report of this nature can make it. It is difficult now to even attempt to catalogue the records which have been separated from the huge mass of material packed away in boxes for the reason that no permanent arrangement of records can be made under present conditions. If a glimpse can be given of the rich stores of primary historical material at hand it is all that can be expected.

Some of the Confederate Records are in good condition, others are fairly well preserved, while a part will be lost if some plan for their restoration or publication is not adopted.

The material used during the war for record purposes was of inferior quality; it was impossible to get paper and ink of high grades, hence many of the valuable war records are almost illegible and very indistinct.

Encouragement of Public Interest.

In presenting the aims and purposes of the Department with a view of attracting the attention of the public, the following letter was addressed to the editors of the State; it was also sent to the publishers of the *Commercial Appeal* of Memphis.

JACKSON, MISS., *June 9th, 1902.*

"DEAR MR. EDITOR: Permit me to call to your attention a matter of importance to the Department of Archives and History, and to ask your aid in presenting it prominently before the people of the State. In the beautiful new Capitol which is nearing completion there will be a Mississippi Hall of Fame in which will be preserved the names and likenesses of all the great men of the State, including great leaders of all classes and professions.

"While it is not intended to give special prominence to any class of our great men, or limit to any number, it will awaken interest in matters historical and stimulate State pride and patriotism to give all the people an opportunity to select ten great Mississippians who should have place in this Hall of Fame. Will you kindly open your columns to the people for the above named purpose with your next issue and close the ballot August 1st? If you have any letters of merit and interest in the course of the vote may I ask you to preserve and forward them to the Department of Archives and History, with the result of the vote as taken by your valuable publication?

"I have the honor to be with best wishes,

"Yours very truly,

"DUNBAR ROWLAND,
"Director."

The Hall of Fame conception was intended to stimulate State pride and patriotism.

The Parthenon of the Greeks was a manifestation in marble of the genius, patriotism and skill of the cultured Athenians and its construction marked the highest pinnacle of their glory.

The national pride of France centers in the Louvre where the likenesses of great Frenchmen painted by the hand of genius look down from its walls and serve as an inspiration to succeeding generations.

The mortal remains of England's great men rest in Westminster Abbey but their souls live on to animate the hearts and deeds of the Anglo-Saxon throughout the world and the Englishman's eye turns with almost idolatrous adoration to that immortal shrine of his country's glory.

Independence Hall stands surrounded by the marble magnificence of the "City of Brotherly Love," but that little homely building of brick means more to the American people, and is closer to their hearts than all the priceless palaces of that great city.

The noble and classic new Capitol of Mississippi, with its Hall of Fame, should be the Parthenon, the Louvre, Westminster Abbey, and Independence Hall to all the people of this great State.

The following report, taken from the *Commercial Appeal* of August 11th, gives a fair idea of the success of the "Hall of Fame Vote."

Hall of Fame Vote.

"The State of Mississippi has for a century been a strong center of southern sentiment and ideals, her people have given the country a full measure of their talents, and many of the really great things of history have been done by them. Therefore it is fitting now that their great deeds should be preserved in a lasting way to animate the hearts and minds of those who come after.

"The State has always been noted for hero-worship of party leaders and intense political loyalty.

"The people have a talent for oratory, politics and State craft. The love of statesmanship that exists among them is the direct cause of the development of the great leaders of the State.

"To live among liberty-loving, passionate, imaginative people, is in itself an inspirattion to beautiful thoughts, eloquent words and sublime deeds.

"For several years active, patriotic and efficient forces have been at work in Mississippi for the preservation of history. As a result of the intelligent efforts of the Historical Society, Confederate Veterans, Sons and Daughters of the Confederacy, together with the aid of thousands of good people not connected with those organizations, the last Legislature in response to popular wishes and in its wisdom established the Department of Archives and History, for the care and custody of official archives, the collection of material bearing upon the history of the State, and of the territory included therein from the earliest times, the compilation and publication of the State's official records and other historical materials, the diffusion of knowledge in reference to the history and resources of the State and the encouragement of historical work and research.

"The Department has been in practical operation four months and the valuable results already accomplished demonstrates its usefulness. Priceless archives and records of the State have been rescued from destruction and order and system have been introduced for the safe keeping of records not in daily use in the different departments of the State government.

"Mississippi is now building the most beautiful and classic capitol in the South, this inspiring structure is rapidly nearing completion. One of its most attractive features will be the Hall of Fame in which will be preserved the names and portraits of all the great men of the State, including great leaders of all classes and all professions. This beautiful place will be a part of the Department of Archives and History.

"The happy thought of inviting the people of Mississippi to select ten great men of the State whose likenesses should honor the walls of the Hall of Fame, was conceived by the Department of Archives and History, and the Hall of Fame vote is the result of that idea.

"It was a graceful act to invite all the people of a Great State to measure fairly and critically the merits of the leaders of the past.

"The newspapers of the State were requested to take the vote. The request met with a hearty response from a patriotic press and the success of the plan has been largely attained through the good will of public spirited editors and publishers.

"The Commercial Appeal opened its columns for the vote June 19th, 1902, under the following rules and regulations:

"1. Every Mississippian above fifteen years of age is a qualified voter.

"2. Great Mississippians of the past only should be voted for.

"3. The voter should use the coupon published in his newspaper as a ballot.

"4. The vote should be for ten great Mississippians, native or adopted.

"5. The vote is expected to close August 1st.

"6. The portraits of the ten Mississippians who receive the greatest num-

ber of votes will be placed in the Hall of Fame of the Department of Archives and History along with those of other illustrious men of the State who have by great deeds won the distinction."

"From the beginning a remarkable degree of good humor and sound judgment marked the voting. There was a decided tendency to confer honor only on those to whom honor was due and there was a marked desire that the final verdict should be historically true. The people at once began looking into the lives of the great State-makers of the past. They brought to light the almost forgotten memories of the long ago and a great revival of interest in local history was the result.

"The balloting also brought out prominently the attachment of Mississippians who are now living in other States and countries for the old home. These loyal and patriotic people sent their votes through the *Commercial Appeal's* Miss. Bureau, from Honolulu, California, Mexico, Arizona, Utah, Texas, New York, Tennessee, Washington City, Indian Territory and Oregon.

"A general historical revival commenced with the Hall of Fame vote, and it is safe to say that more Mississippi history has been read and talked about since the vote began—six weeks ago—than ever before in a like time.

"The Hall of Fame vote marks the beginning of a genuine historical revival in Mississippi and it will continue to increase and grow.

"The final result of the vote dispels the fears of those who believed that the voice of the people would be unworthy, for the verdict shows completely that the people have carefully weighed in the exaggerations of tradition and the partiality of friends and relatives and have made true estimates of Mississippi leaders and given them places to which impartial history would assign them.

"In a Hall of Fame dedicated to Mississippi statesmen, orators and leaders, only true greatness of soul and mind should be preserved within its sacred walls. That idea must have been in the minds of the voters, and can be seen running like a silver thread through the final verdict.

"The success of the Hall of Fame vote is due largely to the following patriotic papers:"

Commercial Appeal,	Aberdeen Weekly,
Clarion-Ledger,	Winona Democrat,
Evening News,	New Standard,
Evening Star;	Picket,
American,	Leader,
Columbus Commercial,	Press,
Hattiesburg Progress,	Sentinel,
Globe and Eagle of Oxford,	Bolivar County Democrat,
Free Press of Poplarville,	Dawn of Light,
Senatobia Democrat,	Quill,
Charleston Herald,	Register,
Coffeeville Courier,	Monitor,
Herald and Progress of Water Valley,	Holmes County Progress,
	Neshoba Democrat,
Journal and Review of Tupelo,	Gazette,
Cleveland Enterprise,	Times and Journal,
Carthegenian,	Herald,
Summit Sentinel,	News,
Leader and Dixie Press of West Pt.,	Beacon,
Gusher,	Democrat.

"The *Commercial Appeal* correspondent is requested to express the sincere thanks of the Department of Archives and History for the invaluable aid extended by the above named papers.

"The *Commercial Appeal* will soon contain portraits and character sketches of Jefferson Davis, L. Q. C. Lamar, E. C. Walthall, J. Z. George, S. S. Prentiss, John M. Stone, George Poindexter, William L. Sharkey, Henry S. Foote and J. L. Power; these monographs are now being prepared by some of the most eminent writers, jurists and public men of Mississippi. These sketches will constitute a splendid collection of literary and historical productions and they are presented by the *Commercial Appeal* as its contribution to the historical revival which is now so manifest in Mississippi.

"The *Commercial Appeal* will also contain a handsome picture of the New Capitol, showing the location of the Hall of Fame, together with the portraits of the authors of the character sketches."

"The total vote follows:

Jefferson Davis,	14,452	Roger Barton,	1,580
L. Q. C. Lamar,	14,311	Wm. R. Barksdale,	1,403
E. C. Walthall,	14,072	Thomas Hinds,	1,300
J. Z. George,	14,012	Powhatan Ellis,	1,240
S. S. Prentiss,	13,008	Walter Leake,	1,160
John M. Stone,	12,962	John J. McRea,	1,150
George Poindexter,	12,768	Walker Brooke,	1,112
William L. Sharkey,	12,422	Greenwood Leflore,	1,103
Henry S. Foote,	12,362	Earl Van Dorn,	1,061
J. L. Power,	11,971	Henry T. Ellett,	1,052
J. L. Alcorn,	11,508	H. H. Chalmers,	1,040
William Barksdale,	5,742	Ephraim S. Fisher,	1,036
B. G. Humphries,	5,161	Fulton Anderson,	1,025
Albert G. Brown,	5,003	James T. Harrison,	1,018
John A. Quitman	4,762	Harvey W. Walter,	1,013
Ethelbert Barksdale,	4,406	Cotesworth P. Smith,	1,005
William Yerger,	4,312	Reuben O. Reynolds,	806
Wiley P. Harris,	4,118	Amos R. Johnston,	806
W. S. Featherstone,	3,862	J. W. C. Watson,	752
W. A. Percy,	3,614	Locke E. Houston,	680
M. P. Lowrey,	3,413	A. B. Dilworth,	670
Robt. J. Walker,	3,106	James R. Chalmers,	650
Jacob Thompson,	3,003	Gerard C. Brandon,	614
David Holmes,	2,843	H. F. Simrall,	610
Wm. C. C. Claiborne,	2,814	Tilghman M. Tucker,	582
Charles Clark,	2,716	William Baldwin,	516
A. B. Longstreet,	2,612	Richard Griffith,	516
Alexander G. McNutt,	2,580	James M. Arnold,	508
William S. Barry,	2,413	O. R. Singleton,	410
John J. Pettus,	2,402	James Phelan,	380
Irwin Russell,	2,388	James F. Trotter,	351
T. D. Isom,	2,350	George S. Yerger,	303
Bishop Wm. Mercer Green,	2,314	J. W. Clapp,	301
William McWillie,	2,313	W. D. Holder,	300
J. F. H. Claiborne,	2,212	P. R. R. Pray,	291
Alexander M. Clayton,	2,218	Ferdinand Claiborne,	280
Sir William Dunbar,	2,206	Edward Turner,	271
Bishop Robert Payne,	2,183	Lyman Harding,	268
W. M. Gwin,	2,004	Isaac R. Nicholson,	260
William L. Harris,	1,862	W. M. Inge,	258
John I. Guion,	1,740	Christopher Rankin,	253
Reuben Davis,	1,603		

Historical Portraits.

Under this head it gives me pleasure to report that a large number of handsome oil portraits of distinguished Mississippians will be donated to the State through the generosity of the descendants of the men whose likenesses should adorn the walls of the new Capitol.

It has been somewhat difficult to locate the descendants of those sturdy pioneers who cleared the way for the progress and prosperity which we now enjoy. It is my purpose to persist in this direction.

During September an extensive correspondence has gone out from the Department requesting portraits for its art gallery, and many gratifying responses have been received.

I am assured that oil portraits of the following great men of the State will be ready when the new Capitol is completed, viz:

Hon. Seargent S. Prentiss Presented by S. S. Prentiss, of New Orleans.
Gov. Henry S. Foote Presented by Hon. W. W. Foote, of San Francisco.
Gov. Benjamin G. Humphries Presented by Hon. B. G. Humphries, of Greenville.
Hon. Jacob Thompson Presented by Mrs. Van Leer Kirkman, of Nashville.
Judge Henry T. Ellett Presented by Dr. E. C. Ellett, of Memphis, Tenn.
Gov. John A. Quitman Presented by Mrs. Rosalie Q. Duncan, of Natchez.
Gov. William McWillie Presented by Hon. T. A. McWillie, of Jackson.
Judge Wiley P. Harris Presented by Hon. J. B. Harris, of Jackson.
Senator Walter Brooke Presented by C. M. Brooke, Esq., of Kosciusko.
Gov. James L. Alcorn Presented by Mrs. Amelia W. Alcorn, of Eagles Nest.
Genl. M. P. Lowrey Presented by Dr. W. T. Lowrey, of Clinton.
Gov. Wm. C. C. Claiborne, Presented by Wm. C. C. Claiborne, of New Orleans.
Gov. Charles Clark Presented by Hon. Fred Clark, of Rosedale, Miss.
Genl. Wirt Adams Presented by Hon. Wirt Adams, of Jackson.
Genl. Will T. Martin Presented by Judge W. C. Martin, of Natchez.
Chancellor Charles Scott Presented by Hon. Charles Scott, of Rosedale.
Judge A. H. Handy Presented by Hon. Geo. Handy, of Canton.
Judge Alexander M. Clayton Presented by Mrs. Clara Clayton Ross, Pensacola, Fla.
Hon. W. A. Percy Presented by Hon. Leroy Percy, of Greenville.
Senator Powhatan Ellis Presented by Maj. Powhatan Ellis, Richmond, Va.
Col. Greenwood Leflore Presented by Mrs. Greenwood Leflore, Malmaison, Miss.

Contributions to Newspapers.

One of the most attractive forms of historical literature is biography. At the request of the Department ten monographs of famous Mississippians have been prepared and are now being

published in the *Commercial Appeal* of Memphis. These articles are notable and are attracting wide attention. The following scholarly and patriotic men are the authors of these sketches:

Jefferson Davis By W. R. Harper.
L. Q. C. Lamar By Dabney Lipscomb.
E. C. Walthall By J. R. Taylor.
J. Z. George By J. L. Johnson.
S. S. Prentiss By Dunbar Rowland.
J. M. Stone, By E. S. Wilson.
George Poindexter By Frank Johnston.
W. L. Sharkey By Henry Yerger.
Henry S. Foote By Miss Kate M. Power.
J. L. Power By C. H. Alexander.

Newspaper Files.

In compliance with the instructions of the Board to request the publishers of newspapers to send their publications to the Department for permanent preservation in the shape of bound files, I sent out the following letter:

"JACKSON, MISS., *May 24th, 1902.*

"DEAR MR. EDITOR: The State of Mississippi has established a Department for the preservation of its valuable archives and history.

"Let me suggest that you can greatly aid the Department in its good work.

"You are editing and publishing a valuable paper and every issue is recording the current history of your county and State.

"It is desired that bound files of the best papers in each county should be preserved in this Department for the use of historical students and the public.

"Let me ask that you honor the State with a complimentary copy of your paper.

"I shall be pleased to have any old files which you may desire to lend or donate this Department.

"Very truly yours,

"DUNBAR ROWLAND,
"Director."

A very gratifying response was made by a patriotic press. The following daily papers are on file in the Department with the compliments of the publishers, viz:

Dailies.

Commercial Appeal of Memphis, Tenn.
Morning News of Memphis, Tenn.
Times Democrat of New Orleans, La.
The Picayune of New Orleans, La.
Clarion-Ledger of Jackson, Miss.
The Evening News of Jackson, Miss.
The American of Vicksburg, Miss.

The Evening Star of Meridian, Miss.
The Democrat of Natchez, Miss.
The Herald of Biloxi, Miss.
The Progress of Hattiesburg, Miss.

The following weekly papers of the State have been donated and are on file in the Department:

Weeklies.

Brookhaven Leader,
Brandon News,
Bolivar County Democrat,
Coahomian,
Choctaw Plaindealer,
Canton Times,
Carrollton Conservative,
Carthagenian,
Columbus Commercial,
Coffeeville Courier,
Fayette Chronicle,
Pascagoula Democrat-Star,
Delta Democrat,
Democratic Herald,
Durant News,
Dixie Press,
Oxford Eagle,
Eupora Progress,
Greenwood Enterprise,
Aberdeen Examiner,
Indianola Enterprise,
Free Press,
Southern Farm Gazette,
Green County Herald,
Hazlehurst Courier,
Lincoln County Times,
Chickasaw Messenger,
Calhoun Monitor,
Magnolia Gazette,
North Mississippi Herald,
Neshoba Democrat,
New Standard,
Newton County Record,
Canton Picket,
Pontotoc Sentinel,
Lawrence County Press,
Quitman Quill,
Port Gibson Reviellee,
Okolona Sun,
Simpson County News,
Senatobia Democrat,
West Point Leader,
Winona Democrat,
Winston County Journal,
Aberdeen Weekly,
Water Valley Progress,
Yazoo Sentinel,
Yazoo Herald,
Star-Ledger,
The South,
Oxford Globe,
Scott County Register,
McComb City Enterprise,
Southern Reporter,
Pearl River News,
The New South,
Smith County Reformer,
Tupelo Journal,
Grenada Sentinel,
Cleveland Enterprise,
Gulf Coast Echo,
Mayersville Spectator,
Walthall Warden,
Columbus Dispatch,
The Panolian,
Brooksville Progress.

The Department is under many and lasting obligations to the press of the State for courtesies without number and of the most substantial character.

The generous and patriotic editors of Mississippi have said kind things of the Department from the beginning, they have given its aims and objects the widest publicity and supported it in every worthy undertaking.

The Department is also under obligation to the great dailies of

New Orleans and Memphis and to their Jackson correspondents, they have done much to prepare the way for the successful development of historical work throughout the State.

Visit to Montgomery, Alabama, and New Orleans, La.

The Department of Archives and History of the State of Alabama has been in active operation for eighteen months under the able and efficient direction of Hon. Thos. M. Owen, one of the most active and accurate specialists in the work of history preservation in the South.

The Mississippi Department was largely modeled after the Alabama Department of Archives and History.

Early in May I had the pleasure of visiting Montgomery for the purpose of investigating the organization and activities of the Historical Department.

Every possible courtesy was extended me by Mr. Owen and I desire to express here my obligation for many valuable ideas and suggestions.

I also visited the Howard Memorial Library and Louisiana Historical Association of Louisiana in New Orleans, when I had the pleasure of conferring with Mr. William Beer, librarian of the Howard Memorial, and Col. J. A. Chalaron, the secretary of the Louisiana Historical Association. These faithful and scholarly gentlemen manifested great interest in my work, and gave me much valued information.

Office Assistance.

During the month of May I received letters from members of the Board of Trustees giving me authority to purchase a typewriter and employ a stenographer.

I have not yet acted upon that authority. It gives me pleasure, however, to report that I shall be able to carry out the instructions of the Board within the present month.

The correspondence of the Department is increasing and help of a clerical nature is very necessary in order that I may give my entire time to the collection, assortment and preservation of official and unofficial archives. Out of the contingent fund of $700.00 for the maintenance of the Department it is safe to appropriate $480.00 for clerical help and that amount will secure the services of an efficient stenographer.

An idea of the volume of correspondence of the Department may be had when it is known that about two thousand letters and circulars of information have been sent out during the past six months.

In the preparation of this report it has been necessary to call in clerical help, and it gives me pleasure to acknowledge the efficient services of Mrs. Helen D. Bell and Miss Kate Porter, both of whom have materially assisted in cataloguing these valuable archives and records.

Expenditure of Maintenance Fund, Oct. 1, 1902.

WARRANTS ISSUED TO DEPARTMENT OF ARCHIVES AND HISTORY.

Maintenance a/c.

Trustees Meeting.

1902.		
Mch. 19.	Warrant No. 2086,	$12 60
Mch. 19.	Warrant No. 2087,	9 50
Mch. 19.	Warrant No. 2101,	7 00
Mch. 20.	Warrant No. 2104,	12 50
Mch. 20.	Warrant No. 2105,	3 05
Mch. 25.	Warrant No. 2128,	11 10
Mch. 27.	Warrant No. 2148,	14 55
Apl. 1.	Warrant No. 2178,	12 60

Moving Records, Stenographer, Postage.

Apl. 2.	Warrant No. 2222,	$9 50
May 15.	Warrant No. 2878,	3 00

Printing, &c.—C. L.

June 11.	Warrant No. 3362,	$11 50

Sundries.

July 1.	Warrant No. 3499,	$20 00

Eyrich & Co.

July 1.	Warrant No. 3500,	$6 90

Printing, &c.—C. L.

July 1.	Warrant No. 3501,	$4 00

Moving Records, &c.

July 22.	Warrant No. 3827,	$11 00

Translation, &c.

Aug. 8.	Warrant No. 4126,	$20 00

Sundries.

Sept. 2.	Warrant No. 4310,	$9 70
Sept. 9.	Warrant No. 4579, Wingo,	3 00

Printing, &c., Harmon Pub. Co.

Sept. 9. Warrant No. 4580,	$16 00

MAINTENANCE FUND.

Furniture, &c.

Sept. 10. Warrant No. 4584,	$35 20

Stenography, &c.

Sept. 24. Warrant No. 4669,	8 00
	$240 90
Maintenance Fund,	$700 00
Amount expended,	240 90
Amount on hand,	$459 10

Vouchers for above expenditures are on file with the Auditor of Public Accounts as required by law.

Expenditure of Traveling Fund, Oct. 1, 1902.

WARRANTS ISSUED TO DEPARTMENT OF ARCHIVES AND HISTORY.

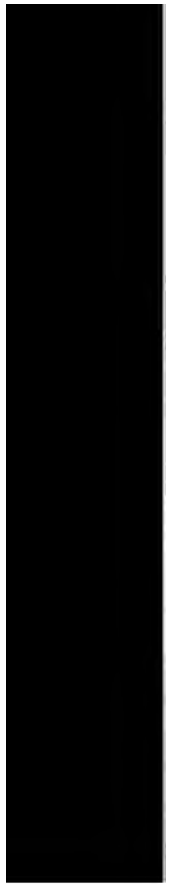
Traveling Expenses a/c.

May 15. 1902. Warrant No. 2877,	$56 15
Traveling Expense Fund,	$250 00
Amount expended,	56 15
Amount on hand,	$193 85

A voucher for above expenditure is on file with the Auditor of Public Accounts as required by law.

All most respectfully submitted,

DUNBAR ROWLAND,
Director.



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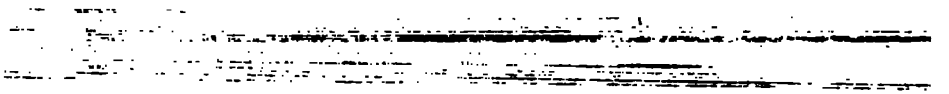
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